

PB# 96-7

DON BAR DEVELOPMENT

38-1-1, 2 & 3

38-2-1, 6 - 14

96 - 7

Den-Bar Development Corp - Subdivision
(Sterling Woods Sub.) Windsor Hwy
7 Lots (Shaw)

Approved 4-12-99

Wilson Jones • Carbonless • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp
 MADE IN U.S.A.
 © Wilson Jones, 1989

DATE March 8, 1996 RECEIPT NUMBER 96-7
 RECEIVED FROM Don-Bar Development Corp.
 Address 54-150 Old Rt. 9W - New Windsor, N.Y. 12553
Eight Hundred Twenty-Five 00/100 DOLLARS \$ 825.00
 FOR Sub Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	825 00	CASH	
AMOUNT PAID	825 00	CHECK	#107
BALANCE DUE	- 0 -	MONEY ORDER	

Min 3/8/96
 BY Myna Mason, Secy. to the P.B.

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12550

GENERAL RECEIPT

15 83

Received of Don-Bar Development Corp \$ 100.00
One Hundred and 00/100 DOLLARS
 For Planning Board #96-7 Application Fee

DISTRIBUTION.

FUND	CODE	AMOUNT
<u>OK # 108</u>		<u>100.00</u>

By Dorothy H. Harrison
Tracy Clark
 Title

* WILLIAMSON LAW BOOK CO. VICTOR, N.Y. 14564

Wilson Jones • Carbonless • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp
 © Wilson Jones, 1989

DATE October 22, 1998 RECEIPT NUMBER 96-7
 RECEIVED FROM Don-Bar Development Corp.
 Address 54-150 Old Rt. 9W - New Windsor, N.Y. 12553
Three Thousand Eight Hundred Eighty-Eight 00/100 DOLLARS \$ 3,888.00
 FOR 4% of Cost Estimate (\$97,215.00) Public Improvement Inspection Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	3888 60	CASH	
AMOUNT PAID	3888 60	CHECK	#148
BALANCE DUE	- 0 -	MONEY ORDER	

Min
 BY Myna Mason, Secretary

Wilson Jones • Carbonless • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp
 © Wilson Jones, 1989

DATE April 8, 1999 RECEIPT NUMBER 96-7
 RECEIVED FROM Don-Bar Development Corp.
 Address New Windsor, N.Y. 12553
Three Thousand 00/100 DOLLARS \$ 3,000.00
 FOR Six Lot Recreation fee @ \$500.00 each

ACCOUNT		HOW PAID	
BEGINNING BALANCE	3,000 00	CASH	
AMOUNT PAID	3,000 00	CHECK	#190
BALANCE DUE	- 0 -	MONEY ORDER	

Min
 BY Myna Mason, Secretary

Wilson Jones • Carbonless • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp • S16-02 3W/CL Dup/Imp
 © Wilson Jones, 1989

DATE April 8, 1999 RECEIPT NUMBER 96-7

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12550

GENERAL RECEIPT

15 43
 March 8 19 96

Received of *Don-Bar Development Corp* \$ *100.00*
One Hundred and 00/100 DOLLARS

For *Planning Board #96-7 Application Fee*

FUND	CODE	AMOUNT
<i>W/P # 108</i>		<i>100.00</i>

By *Dorothy H. Harrison*
Town Clerk
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Wilson Jones - Carbonless - 5162-WVC1 Duplicate - 5164-47/CL Triplicate

DATE *October 22, 1998* **RECEIPT** NUMBER *96-7*

RECEIVED FROM *Don-Bar Development Corp.*
 Address: *54-150 Old Pt. Rd - New Windsor, N.Y. 12553*

Three Thousand Eight Hundred Eighty - Eight 00/100 DOLLARS \$ *3,888.00*
 FOR *4% of Cost Estimate (\$97,215.00) Public Improvement Inspection Fee*

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<i>3888 60</i>	CASH	
AMOUNT PAID	<i>3888 60</i>	CHECK	<i>#148</i>
BALANCE DUE	<i>- 0 -</i>	MONEY ORDER	

BY *Myrta Mason, Secretary*

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Wilson Jones - Carbonless - 5162-WVC1 Duplicate - 5164-47/CL Triplicate

DATE *April 8, 1999* **RECEIPT** NUMBER *96-7*

RECEIVED FROM *Don-Bar Development Corp.*
 Address: *New Windsor, N.Y. 12553*

Three Thousand 00/100 DOLLARS \$ *3,000.00*
 FOR *Six Lot Recreation fee @ \$500.00 each*

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<i>3000 00</i>	CASH	
AMOUNT PAID	<i>3000 00</i>	CHECK	<i>#190</i>
BALANCE DUE	<i>- 0 -</i>	MONEY ORDER	

BY *Myrta Mason, Secretary*

© Wilson Jones, 1989

Wilson Jones - Carbonless - 5162-WVC1 Duplicate - 5164-47/CL Triplicate

DATE *April 8, 1999* **RECEIPT** NUMBER *96-7*

RECEIVED FROM *Don-Bar Development Corp.*
 Address: *New Windsor, N.Y. 12553*

Fifty 00/100 DOLLARS \$ *50.00*
 FOR *Additional Escrow*

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<i>50 00</i>	CASH	
AMOUNT PAID	<i>50 00</i>	CHECK	<i>#191</i>
BALANCE DUE	<i>- 0 -</i>	MONEY ORDER	

BY *Myrta Mason, Secretary*

© Wilson Jones, 1989

Wilson Jones - Carbonless - 5162-WVC1 Duplicate - 5164-47/CL Triplicate

DATE *April 12, 1999* **RECEIPT**

RECEIVED FROM *Don-Bar Development Corp.*
 Address: _____

Three Thousand 00/100 DOLLARS \$ _____
 FOR *P/B Application Fee (\$100.00)*

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	<i>100.00</i>
AMOUNT PAID		CHECK	<i>388.00</i>
BALANCE DUE		MONEY ORDER	

BY *Town Clerk*

© Wilson Jones, 1989

Map Number 76-99 City N. Windsor
Section 38 Block 1 Lot 1.1 Town N. Windsor
Village N. Windsor

Title: Sterling Woods Subdivision
* Lot Line Chg.

Dated: 6-8-98 Filed 4-14-99

Approved by Ed Stent

on 4-12-99

Record Owner Don-Bar Development

Corp. DONNA L. BENSON
Orange County Clerk

(4 Sheets)

**RE: R&F- EXTENSION OF IRREVOCABLE STANDBY LETTER OF CREDIT
DON-BAR DEVELOPMENT CORP. – STERLING WOODS SUBDIVISION**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Extension of an Irrevocable Standby Letter of Credit #341299-01 dated January 11, 2000 from the Premier National Bank in the amount of SIXTEEN THOUSAND ONE HUNDRED FIFTEEN (\$16,115) DOLLARS, to extend to February 11, 2001, on behalf of the Sterling Woods Subdivision and Don-Bar Development Corp.

Town Board Agenda: 02/02/00.

cc: Myra Mason, Planning Board Secretary
Comptroller Reis



January 11, 2000

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553



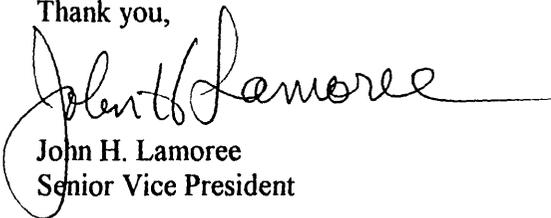
To the Town Board of the Town of New Windsor:

We hereby extend an Irrevocable Standby Letter of Credit for the account of DON-BAR DEVELOPMENT CORP. until February 11, 2001. The Letter of Credit number is 341299-01 and the amount is not to exceed:
Sixteen thousand one hundred fifteen & 00/100-----(\$16,115.00) Dollars.

All other terms and conditions with remain the same during this time.

If you have any questions, please contact me at (914) 838-2041.

Thank you,



John H. Lamoree
Senior Vice President

RECEIVED - P.B. *cm*

JAN 19 2000 Planning Board #96-7

P R E M I E R N A T I O N A L B A N K

240 Route 55, P.O. Box 310 LaGrangeville, NY 12540-0310 914-471-1711



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4630
Fax: (914) 563-4693

Attorney for the Town

April 6, 1999

Hankin, Hanig, Stall, Caplicki
Redl & Curtin, LLP
1204 Union Avenue - Rt. 300
Newburgh, N. Y. 12550
Attn: Ms. Diana Travis

**Re: Khan to Town of New Windsor & Don-Bar Development Corp.
Utility Easements - Sterling Woods Subdivision**

Dear Diana:

I have reviewed the two (2) sewer easements which you dropped off at the Attorney's office on April 1, 1999.

I require that a representative from the title insurance company which Don-Bar will be using, probably Crystal Clear Abstract, make an appointment with Pat to come to this office to take the two instruments for recording and pay the fees for recording. This needs to happen at the same time as the subdivision maps are taken for filing. At the same time a return addressed postcard will need to be taken by the title company and sent back to me with the filing and recording information.

I just need to be sure that the job is done correctly for the Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script that reads "Philip A. Crotty".

Philip A. Crotty
Attorney for the Town of New Windsor

pac/pab

cc: Myra Mason

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/18/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 96-6

NAME: TEMPLE HILL MANOR APARTMENTS

APPLICANT: TEMPLE HILL MANOR, L.P.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/08/1996	REC. CK. #0682	PAID		7000.00	
03/13/1996	P.B. ATTY. FEE	CHG	35.00		
03/13/1996	P.B. MINUTES	CHG	40.50		
01/14/1998	P.B. ATTY. FEE	CHG	35.00		
01/14/1998	P.B. MINUTES	CHG	45.00		
01/18/2001	P.B. ENGINEER FEE	CHG	1945.00		
01/18/2001	APPLICATION WITHDRAWN - R	CHG	4899.50		
		TOTAL:	7000.00	7000.00	0.00

(Application Withdrawn)

*Please issue a check
in the amount of \$4,899.50*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE
APPLICANT: DON-BAR DEVELOPMENT CORP.

DATE	DESCRIPTION	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
03/08/1996	REC. CK. #107	PAID		825.00	
03/13/1996	P.B. ATTY. FEE	CHG	35.00		
03/13/1996	P.B. MINUTES	CHG	49.50		
04/24/1996	P.B. ATTY. FEE	CHG	35.00		
04/24/1996	P.B. MINUTES	CHG	49.50		
08/12/1998	P.B. ATTY FEE	CHG	35.00		
08/12/1998	P.B. MINUTES	CHG	22.50		
10/14/1998	P.B. ATTY. FEE	CHG	35.00		
10/14/1998	P.B. MINUTES	CHG	18.00		
04/03/1999	P.B. ENGINEER FEE	CHG	595.50		
04/08/1999	REC. CK. #191	PAID		50.00	
		TOTAL:	875.00	875.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE
APPLICANT: DON-BAR DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/1999	SUB. APPROVAL FEE	CHG	385.00		
04/08/1999	REC. CK. #189	PAID		385.00	
		TOTAL:	385.00	385.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 96-7
NAME: STERLING WOODS LOT LINE CHANGE
APPLICANT: DON-BAR DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/1999	6 LOT RECREATION FEE	CHG	3000.00		
04/08/1999	REC. CK. #190	PAID		3000.00	
		TOTAL:	3000.00	3000.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE

APPLICANT: DON-BAR DEVELOPMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/12/1999	PLANS STAMPED	APPROVED
10/14/1998	P.B. APPEARANCE . RETURNED TO BOARD FOR MINOR CHANGE TO PLAN - APPROVED . 10-14-98 FOR MINOR CHANGES	MINOR CHANGE
08/12/1998	P.B. APPEARANCE . INSPECT. FEE TO BE PAID - THEN WORK TO BE DONE - THEN PLANS . STAMPED	APPROVED - NEED COST
08/05/1998	WORK SESSION APPEARANCE	NEXT AGENDA
06/03/1998	WORK SESSION APPEARANCE	REVISE
04/24/1996	P.B. APPEARANCE . PRELIMINARY APPROVAL - MUST GET APPROVAL FROM TOWN BOARD FOR . LAND DEDICATION	LA:ND WVE PH
03/13/1996	P.B. APPEARANCE	TO RETURN
03/06/1996	WORK SESSION APPEARANCE	SUBMIT

/ /

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/1999

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA ACTIONS**

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE
APPLICANT: DON-BAR DEVELOPMENT CORP.

DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG 03/08/1996	EAF SUBMITTED	03/08/1996	WITH APPLICATION
ORIG 03/08/1996	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG 03/08/1996	LEAD AGENCY DECLARED . LEAD AGENCY REMAINED FOR REAPPEARANCE ON 10-14-98	04/24/1996	TOOK LEAD AGENCY
ORIG 03/08/1996	REQUEST FOR INFORMATION	/ /	
ORIG 03/08/1996	DECLARATION (POS/NEG) . NEG. DEC. REMAINED FOR REAPPEARANCE AT 10-14-98 MEETING	04/24/1996	DECL NEG DEC

4.5 99
96.7

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MAJOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 100.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ _____

APPROVAL FEES MAJOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 100.00
PRELIMINARY PLAT APPROVAL (150.00 OR 15.00/LOT).....\$ 150.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 135.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 385.00 (1)

RECREATION FEES:

6 LOTS @ \$ 500.00 PER LOT.....\$ 3000.00 (2)

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 595.50
PLANNING BOARD ATTORNEY FEES.....\$ 140.00
MINUTES OF MEETINGS.....\$ 139.50
OTHER.....\$ _____

Total: 875.00
Less Escrow: 825.00
DUE 50.00 (3)

PERFORMANCE BOND AMOUNT.....\$ _____

4% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

2% OF APPROVED COST ESTIMATE\$ _____

10/22/98
\$3,585.00

385.00
3000.00
50.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/14/98

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE
APPLICANT: DON-BAR DEVELOPMENT CORP.

DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG 03/08/96	EAF SUBMITTED	03/08/96	WITH APPLICATION
ORIG 03/08/96	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG 03/08/96	LEAD AGENCY DECLARED	04/24/96	TOOK LEAD AGENCY
ORIG 03/08/96	REQUEST FOR INFORMATION	/ /	
ORIG 03/08/96	DECLARATION (POS/NEG)	04/24/96	DECL NEG DEC

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/14/98

PAGE: 1

LISTING OF PLANNING BOARD **ACTIONS**

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE

APPLICANT: DON-BAR DEVELOPMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/12/98	P.B. APPEARANCE . INSPECT. FEE TO BE PAID - THEN WORK TO BE DONE - THEN PLANS . STAMPED	APPROVED - NEED COST
08/05/98	WORK SESSION APPEARANCE	NEXT AGENDA
06/03/98	WORK SESSION APPEARANCE	REVISE
04/24/96	P.B. APPEARANCE . PRELIMINARY APPROVAL - MUST GET APPROVAL FROM TOWN BOARD FOR . LAND DEDICATION	LA:ND WVE PH
03/13/96	P.B. APPEARANCE	TO RETURN
03/06/96	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/14/98

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 96-7

NAME: STERLING WOODS LOT LINE CHANGE

APPLICANT: DON-BAR DEVELOPMENT CORP.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	04/18/96	MUNICIPAL HIGHWAY	04/23/96	APPROVED
REV1	04/18/96	MUNICIPAL WATER . WATER AVAILABLE IN AREA - CALL WATER DEPT. FOR FURTHER . DETAILS	04/22/96	APPROVED
REV1	04/18/96	MUNICIPAL SEWER	/ /	
REV1	04/18/96	MUNICIPAL FIRE	04/25/96	APPROVED
ORIG	03/08/96	MUNICIPAL HIGHWAY	03/11/96	APPROVED
ORIG	03/08/96	MUNICIPAL WATER	03/11/96	APPROVED
ORIG	03/08/96	MUNICIPAL SEWER . MORATORIUM ON SEWER MAIN EXTENSIONS	03/26/96	DISAPPROVED
ORIG	03/08/96	MUNICIPAL FIRE	03/12/96	APPROVED



2/18/99- CC: RDMcG.
Pls. review & advise.
D

IRREVOCABLE LETTER OF CREDIT

February 11, 1999

Letter of Credit No. 341299-01

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553

Applicant: DON-BAR DEVELOPMENT
CORP.
Amount: \$16,115.00

RE: Sterling Woods Subdivision

To the Town Board of the Town of New Windsor:

We hereby establish an Irrevocable Standby Letter of Credit in your favor for the account of DON-BAR DEVELOPMENT CORP. in an amount not to exceed: Sixteen thousand one hundred fifteen & 00/100-----(\$16,115.00) Dollars available by your drafts at sight on us accompanied by:

1. This original Letter of Credit
2. Your written, signed sworn and notarized statement that DON - BAR DEVELOPMENT CORP. has not completed installation or maintenance of public and private improvements in the Sterling Woods Subdivision as approved by the Town of New Windsor Planning Board.

Drafts must be negotiated no later than the expiration date shown above, and must state "DRAWN UNDER PREMIER NATIONAL BANK IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER 341299-01".

This Letter of Credit may be drawn against one time only.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision), the International Chamber of Commerce Brochure No. 400.

We hereby agree with you that drafts drawn under and in compliance with the terms and conditions of this credit shall be duly honored upon due presentation.

Very truly yours,

By: John H. Lamoree
Title: Senior Vice President

P R E M I E R N A T I O N A L B A N K



1301 Route 52 • P.O. Box 7000 • Fishkill, NY 12524

Irrevocable Documenta Credit

Number 341299-01

issued 02/11/99

Date and place of expiry February 11, 2000, at the counters of Premier National Bank

Applicant

DON-BAR DEVELOPMENT CORP.
741 Hewitt Ln.
New Windsor, NY 12553

Beneficiary

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553

Advising Bank

Premier National Bank
1301 Rte. 52
P.O. Box 7000
Fishkill, NY 12524

Ref. nr.

Amount

Sixteen thousand one hundred fifteen & 00/100-----(\$16,115.00) Dollars

Credit available with

by sight payment by acceptance by negotiation

Partial Shipments

Transshipment

N/A

allowed not allowed allowed not allowed

by deferred payment at

Loading on board dispatch taking in charge at from

against the documents detailed herein Letter of Default

for transportation to: Irrevocable Letter of Credit

and beneficiary's draft at counters of Premier National Bank on expiry date of February 11, 2000

This Irrevocable Letter of Credit is issued in your favor and we engage to pay your draft(s) on us, and presented to us at our offices, 1301 Rte. 52, Fishkill, New York 12524, when accompanied by:

Your written statement that DON-BAR DEVELOPMENT CORP. have not completed installation or maintenance of public and private improvements in the Sterling Woods Subdivision as approved by the Town of New Windsor Planning Board.

Advice for the Beneficiary

Documents to presented within days after the date of issuance of the transport document(s) but within the validity of the credit.

We hereby issue the Documentary Credit in your favour. It is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision, International Chamber of Commerce, Paris, France, Publication No. 400) and engages us in accordance with the date of the credit and the name of our bank must be quoted on all drafts required. If the credit is available by negotiation, each presentation must be noted on the reverse of the this advice by the bank where the credit is available.

Seal (original only)

Premier National Bank

By:

John T. Lawrence
Authorized Signature

This document consists of signed page(s)



1763

TOWN OF NEW WINDSOR555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553Dorothy H. Hansen
TOWN CLERK
(914) 563-4611**CLERK'S CERTIFICATE**

I **DOROTHY H. HANSEN**, Town Clerk of the Town of New Windsor in the County of Orange, State of New York, **HEREBY CERTIFY** that the below extract of the minutes has been compared by me with the minutes of the Town Board of the Town of New Windsor in the County of Orange, State of New York, held on February 3, 1999, and the same is a true and correct transcript therefrom and of the whole thereof so far as the same relates to the subject matter referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate seal of said Town, this 4th day of February, 1999.

TOWN SEALA handwritten signature in cursive script that reads "Dorothy H. Hansen". The signature is written over a horizontal line.**DOROTHY H. HANSEN, TOWN CLERK**
Town of New Windsor

Motion by Councilwoman Townsend seconded by Councilman Green that the Town Board of the Town of New Windsor authorize the reduction of a Public Improvement Bond for Sterling Woods Subdivision, from \$97,215.00 to \$16,115.00. This new dollar amount reflects the total amount for the right-of-way and roadway work obligated as part of the subdivision, work is not yet completed and shall be completed in 1999. As per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C., under the date of February 1, 1999.

ROLL CALL: All Ayes

MOTION CARRIED: 5-0



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office
45 Quassaick Ave. (Route 9/W)
New Windsor, New York 12553
(914) 562-8840
- Branch Office
507 Broad Street
Millford, Pennsylvania 18337
(610) 296-2765

MEMORANDUM
(via fax)
29 March 1999

TO: PHIL CROTTY, ESQ., TOWN ATTORNEY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: UTILITY EASEMENTS KAHN and DON-BAR to NEW WINDSOR

I have reviewed the attached descriptions (metes and bounds) for utility easements to the benefit of the Town of New Windsor. Please note that I find these descriptions acceptable and consistent with the plans submitted to the Planning Board.

I would suggest that you review the easement documents themselves to see that they are in proper order, and to insure that the easement is referred to as a "utility easement", and the use is not limited.

If you have any questions concerning the above, please do not hesitate to contact me.

Cc: Myra Mason, P.B. Secretary (via fax)
Greg Shaw, P.E., Applicant's Engineer (via fax)
Richard Shulkin, Developer (via fax 561-3410)

MJE/st
Crotty032999.doc



RICHARD G. BARGER

LICENSED

Professional Engineer & Land Surveyor

PO Box 1781
Wappingers Falls, NY 12590
Tel: (814) 297-8555
(814) 287-8588
Fax: (814) 287-8585

March 26, 1999

Kahn

to

Town of New Windsor

Deed Description (30 foot wide Utility Easement)

Description based on map entitled "Lot Line Change for Sterling Woods Subdivision"
Dated 6/8/98, revised 7/15/98 & 10/7/98.

Description of a certain parcel of land situate in the Town of New Windsor,
County of Orange and the State of New York.

Beginning at a point on the Northeasterly line of lands of now or formerly
Gadonniex, said point being distant North 19-49-46 West 78.43 feet from the intersection
of the Northeasterly line of lands of said Gadonniex with the Northerly line of lands of
Consolidated Rail Corp. and running thence along the Northeasterly line of lands of said
Gadonniex, North 19-49-46 West 34.06 feet to a point, thence leaving said line and
running over and through lands of Kahn, the grantor herein, the following: North 41-53-
54 East 199.23 feet to a point; thence North 63-35-23 East 157.20 feet to a point on the
Southwesterly line of lands of Lot No. 5 as shown on a certain map entitled "Lot Line
Change For Sterling Woods Subdivision" and recorded in the Orange County Clerk's
Office as map no. _____; thence leaving said line and running along the
Southwesterly line of lands of said Lot No. 5, South 19-38-00 East 30.21 feet to a point;
thence leaving said line and running over and through lands of aforesaid Kahn, the
grantor herein, the following: South 63-35-23 West 147.89 feet to a point; thence South
41-53-54 West 209.62 feet to the point of beginning. Containing 0.2458 acres of land be
the same more or less

SUBJECT TO THE RIGHTS OF PUBLIC UTILITIES OF RECORD.



RICHARD G. BARGER

LICENSED

Professional Engineer & Land Surveyor

PO Box 1781
Wappingers Falls, NY 12590
Tel: (914) 297-6555
(914) 297-6566
Fax: (914) 297-6565

March 26, 1999

Don Bar

to

Town of New Windsor

Deed Description (30 foot wide Utility Easement)

Description based on map entitled "Lot Line Change for Sterling Woods Subdivision" dated 6/8/98, revised 7/15/98 & 10/7/98.

Description of a certain parcel of land situate in the Town of New Windsor, County of Orange and the State of New York.

Beginning at a point on the Southwesterly line of Windsor Garden Drive, said point being distant South 50-00-00 East 80.00 feet from the intersection of the Southwesterly line of side Windsor Garden Drive with the Southeasterly line of lands of Lot No. 3 as shown on a certain map entitled "Lot Line Change For Sterling Woods Subdivision" and recorded in the Orange County Clerk's Office as map no. _____ and running thence along the Southwesterly line of said Windsor Garden Drive, South 50-00-00 East 30.00 feet to a point; thence leaving said line and running over and through lands of Lots 1, 2, 3, 4 & 5 as shown on said map no. _____, the following: South 40-00-00 West 140.73 feet to a point; thence North 68-42-25 West 622.70 feet to a point; thence South 63-35-23 West 104.43 feet to a point on the Northeasterly line of lands of now or formerly Kahn; thence leaving said line and running along the Northeasterly line of lands of now or formerly said Kahn, North 19-38-00 West 30.21 feet to a point; thence leaving said line and running over and through lands of said Lots 5, 4, 3 & 2 as shown on said map no. _____, the following: North 63-35-23 East 114.13 feet to a point; thence South 68-42-25 East 614.45 feet to a point; thence North 40-00-00 East 119.21 feet to the point of beginning. Containing 0.5908 acres of land be the same more or less.

Subject to the rights of Public Utilities of record.

INTER-OFFICE CORRESPONDENCE

TO: TOWN CLERK HANSEN
CHAIRMAN PETRO
ENGINEER EDSALL
COMPTROLLER REIS

FROM: PHIL CROTTY

SUBJECT: DON-BAR DEVELOPMENT AKA STERLING WOODS SUBDIVISION

DATE: MARCH 2, 1999

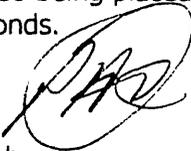
I have reviewed the Irrevocable Letter of Credit submitted by Premier National Bank on behalf of the above-named developer. The amount is \$16,115. The document is dated February 1, 1999. It runs for one year but is ultimately renewable.

The instrument is satisfactory.

At this time I am forwarding the original for receiving and filing by the Town Board and referral to the Town Clerk.

It is also being placed on the running sheet which lists all outstanding Letters of Credit and Bonds.

PAC



pac/pab

cc: Richard Shulkin

STERLING WOODS LOT LINE CHANGE (96-7)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Greg, you have had final approval for this, correct?

MR. SHAW: Yes, both this application and the agenda item that follows this got final lot line change approval from this board in about July of this year. Following that approval, we went back to the individual who was granting the sanitary sewer easement over the lands of Kahn and in my client's agreement with Mr. Kahn, there was an expiration date of two years and unfortunately, this property as with a lot of properties got caught up with the litigation involving the transfer of sewer capacity where the project is at. The bottom line is that two years expired. The gentleman who owns the property to the south requested in addition to renewing the easement more acreage from my client to be conveyed to him and again, that is a subject of the next application. For that to happen, we had to go back to reconfigure lot number 5 of this subdivision. Lots number 1, 2, 3, let me rephrase that, the sewer main as it runs through the property has not changed, the home locations have not changed, the grade has not changed, the only thing that has changed is the metes and bounds of what's now indicated as lot number 5. That is the only difference from the plan that you approved. So we're here coming before you tonight to ask that you approve this lot line change plan or reapprove it and then again, similarly with the following application which is also a lot line change.

MR. LANDER: Just what was changed on here, Greg?

MR. SHAW: What happened is these lot lines ran straight back, okay, and what this gentleman wanted was more land, so we had to basically put all the land that he wanted in lot 5, so that when we come before you with the next application we're just dealing with lot 5, not 4 or 3.

MR. PETRO: Greg, how are you going to access the lands of Kahn? I want to state for the minutes that that property does adjoin property that I own my residence on but I have no affiliation with this applicant.

MR. SHAW: What you'll see with the next application, Mr. Chairman, is the portion of the land that will be transferred to Kahn will not only constitute this area as I'm indicating but also a 60 foot wide leg coming off the cul-de-sac. That lot is presently landlocked and the purpose of the lot line change which is the next item on the agenda gives him legal frontage to Windsor Gardens Drive, which is a town road.

MR. PETRO: How would you negotiate that turn? See lands lands of Spitolla all the way where it hits lands of Mahary, that particular left-hand turn, I know it's 60 foot, how would you make a road go like that?

MR. SHAW: I don't know if you can make road go like that. You can make a driveway go like that. I'm not representing that that road will be extended. I have no idea what Mr. Kahn plans on doing with it, the geometry. The town has certain standards and the standards don't allow serpentine roads and that is what you'd need in order to access through the 60 foot leg.

MR. PETRO: So, it could not be a town road?

MR. SHAW: Off the top of my head, I do not think so.

MR. PETRO: Mark?

MR. EDSALL: That extension could be a town road, we'd have to look when the design comes in.

MR. PETRO: Any other questions? This is basically very straightforward, what we'll do is declare lead agency. Motion please.

MR. LANDER: Motion.

MR. LUCAS: Second it.

MR. PETRO: Motion's been made and seconded that the

New Windsor Planning Board declare itself lead agency for the Sterling Woods lot line change. Is there any discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO AYE
MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: I think as far as the public hearing goes, we had public hearings for that, correct, first time through?

MR. SHAW: I believe so, yes.

MR. PETRO: So, I don't see anything that's being changed to really that would augment this plan to state that we need to have a public hearing. We did waive the public hearing under our discretionary judgment as far as I see from the minutes here, so once again, I will ask the members, do we or do we not want to have a public hearing? Motion one way or the other.

MR. LUCAS: Make a motion we waive the public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the Sterling Woods lot line change.

ROLL CALL

MR. ARGENIO AYE
MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: Mark, do you see any outstanding comments we have not gone over?

MR. EDSALL: No.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Did we do negative dec on this? No, obviously not, I'm sorry, before we do that.

MR. EDSALL: Really on these three lot line changes, you have already declared yourself lead agency on the original, it's an amendment. All you have to do is indicate that the amendment has no affect on your previous decision and leave it like that.

MR. LUCAS: Does that go along with the next one?

MR. EDSALL: I think all three of them you can do the same way.

MR. PETRO: We do have fire approval, they are all on the original, everything stands on the original. We have a motion before the board for final approval. It's been made and seconded. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhpepa@ptd.net



REVIEW NAME: STERLING WOODS LOT LINE CHANGE
PROJECT LOCATION: SECTION 38 - BLOCKS 1 AND 2
PROJECT NUMBER: 96-7
DATE: 14 OCTOBER 1998
DESCRIPTION: THIS IS A REVISED/CORRECTED PLAN FOR THE APPLICATION AS APPROVED BY THE BOARD ON 12 AUGUST 1998.

1. This application amends/corrects the plan for the lot line change/subdivision as previously approved by the Board. The area of Lot 5 is being increased with the addition of the southwesterly (rear) portions of Lots 3 and 4.
2. I see no zoning compliance problem with this correction/amendment and believe the previous SEQRA determination remains valid. As such, I would recommend that the Planning Board formally approve this amended/corrected plan for stamp of approval.

Respectfully submitted,

Mark J. Edsall
 Mark J. Edsall, P.E.
 Planning Board Engineer

MJesh

A:.sterling.sh

T/1/1999
1/7/1999

(18)

Q

MOTION-AUTHORIZE REDUCTION IN PUBLIC IMPROVEMENT BOND-STERLING WOODS SUBDIVISION

Motion by Council T seconded by Council G that the Town Board of the Town of New Windsor authorize the reduction of a Public Improvement Bond for Sterling Woods Subdivision, from \$97,215.00 to \$16,115.00. This new dollar amount reflects the total amount for the right-of-way and roadway work obligated as part of the subdivision, work is not yet completed and shall be completed in 1999. As per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C., under the date of February 1, 1999.

ROLL CALL: Roll Call

MOTION CARRIED: 5-0



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765

1 February 1999

Town of New Windsor
Town Board
555 Union Avenue
New Windsor, New York 12553

ATTENTION: SUPERVISOR GEORGE J. MEYERS AND TOWN BOARD MEMBERS

SUBJECT: STERLING WOODS SUBDIVISION
RECOMMENDATION FOR
PUBLIC IMPROVEMENT BOND REDUCTION
MHE JOB NO. 87-56.2/T96-7

Dear Supervisor Meyers and Board Members:

As you may be aware, the Town Planning Board approved the Sterling Woods Subdivision during 1998. The subdivision involved improvements to Windsor Garden Drive and subsequent establishment of five (5) single-family residential lots on the south side of the roadway. A public improvement bond amount totalling \$97,215.00 was established during late 1998. Subsequent to same, the Developer's contractors have proceed with construction of sanitary sewer and water improvements to serve the area.

This letter is written as a recommendation to reduce the public improvement bond amount from \$97,215.00 to \$16,115.00. This new dollar amount reflects the total amount for the right-of-way and roadway work obligated as part of the subdivision and as referenced in the original estimate. This work has not yet been completed and is anticipated to be completed during 1999.

If you have any questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**

Mark J. Edsall, P.E.
Town Consulting Engineer

MJesh a:meyer2-1.sh
cc: James Pullar, Town Highway Superintendent
Richard G. Barger, P.E.

MH&E_{PC}

FAX TRANSMISSION

McGoey, Hauser and Edsall
Consulting Engineers, P.C.

Main Office
45 Quassaick Avenue
New Windsor, NY 12553

TO: Town of New Windsor ATTN: George Meyers FAX NO. _____

FROM: Mark J. Edsall OF: McGOEY, HAUSER & EDSALL FAX NO.: 914-562-1413

DATE SENT: 2/1/99 TIME SENT: 2:30 AM PM

PAGES SENT: 1 + cover

MESSAGE: _____

1 February 1999

Town of New Windsor
Town Board
555 Union Avenue
New Windsor, New York 12553

ATTENTION: SUPERVISOR GEORGE J. MEYERS AND TOWN BOARD MEMBERS

SUBJECT: STERLING WOODS SUBDIVISION
RECOMMENDATION FOR
PUBLIC IMPROVEMENT BOND REDUCTION
MHE JOB NO. 87-56.2/T96-7

*Project of
Rt 32/Highway 2A*
[Signature]

Dear Supervisor Meyers and Board Members:

As you may be aware, the Town Planning Board approved the Sterling Woods Subdivision during 1998. The subdivision involved improvements to Windsor Garden Drive and subsequent establishment of five (5) single-family residential lots on the south side of the roadway. A public improvement bond amount totalling \$97,215.00 was established during late 1998. Subsequent to same, the Developer's contractors have proceed with construction of sanitary sewer and water improvements to serve the area.

This letter is written as a recommendation to reduce the public improvement bond amount from \$97,215.00 to \$16,115.00. This new dollar amount reflects the total amount for the right-of-way and roadway work obligated as part of the subdivision and as referenced in the original estimate. This work has not yet been completed and is anticipated to be completed during 1999.

If you have any questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.

Mark J. Edsall

Mark J. Edsall, P.E.

Town Consulting Engineer
MJEsh a:meyer2-1.sh
cc: James Pullar, Town Highway Superintendent
Richard G. Barger, P.E.

2/1 - T/Bd -
Came in too
late from T/Bd workshop
Agenda - we'll do
at T/Bd meetg
2/3 -
[Signature]

TOTAL P.01

cc: T/Bd - WAM



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Dorothy H. Hansen
TOWN CLERK
(914) 563-4611

CLERK'S CERTIFICATE

I **DOROTHY H. HANSEN**, Town Clerk of the Town of New Windsor in the County of Orange, State of New York, HEREBY CERTIFY that the below extract of the minutes has been compared by me with the minutes of the Town Board of the Town of New Windsor in the County of Orange, State of New York, held on February 3, 1999, and the same is a true and correct transcript therefrom and of the whole thereof so far as the same relates to the subject matter referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate seal of said Town, this 4th day of February, 1999.

TOWN SEAL

DOROTHY H. HANSEN, TOWN CLERK
Town of New Windsor

Motion by Councilwoman Townsend seconded by Councilman Green that the Town Board of the Town of New Windsor authorize the reduction of a Public Improvement Bond for Sterling Woods Subdivision, from \$97,215.00 to \$16,115.00. This new dollar amount reflects the total amount for the right-of-way and roadway work obligated as part of the subdivision, work is not yet completed and shall be completed in 1999. As per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C., under the date of February 1, 1999.

ROLL CALL: All Ayes

MOTION CARRIED: 5-0

Shaw Engineering

Consulting Engineers

74a Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

STERLING WOODS SUBDIVISION

August 14, 1998

PUBLIC IMPROVEMENT BOND ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>Right-Of-Way</u>			
12" Removal of Macadam Pavement	L.S.	\$ 2,000	\$ 2,000
6" Foundation Course	167 C.Y.	\$ 20	\$ 3,340
3 Asphalt Binder Course	4,500 S.F.	\$ 1.30	\$ 5,850
2 Asphalt Top Course	4,500 S.F.	\$.85	\$ 3,825
Monuments	11	\$ 100	\$ 1,100
			\$ 16,115
<u>Sanitary Sewer System</u>			
Clear & Grub Easement	35,000 S.F.	\$.10	\$ 3,500
8-Inch PVC Gravity Pipe	1,510 L.F.	\$ 40	\$ 60,400
Manholes	6	\$ 1,700	\$ 10,200
4-Inch Gravity House Services	8	\$ 350	\$ 2,800
			\$ 76,900
<u>Water Sewer System</u>			
3/4 -Inch Water Services	7	\$ 600	\$ 4,200

CONSTRUCTION ESTIMATE:

\$ 97,215



RICHARD G. BARGER

LICENSED

Professional Engineer & Land Surveyor

PO Box 1781
Wappingers Falls, NY 12590
Tel: (914) 297-6555
(914) 297-6566
Fax: (914) 297-6565

December 10, 1998

McGoey, Hauser & Edsall
45 Quassaick Avenue (Route 9W)
New Windsor, New York 12553

RE: STERLINE WOODS SUBDIVISION
Windsor Garden Drive
Town of New Windsor

bond reduction and amount

ATTN: Mark Edsall

Dear Mark:

Enclosed is a copy of the proposed bond for the above captioned subdivision. I have indicated those items that are now completed.

The applicant wishes to post a bond for the work to be completed in the Spring of 1999; however, he wishes to file the subdivision map at this time; therefore he must post a bond.

Items of work not presently completed are:

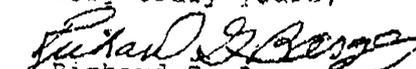
4,500 Sq. Ft. Binder	\$5,850.00
4,500 Sq. Ft. Top Course	\$3,825.00

BOND AMOUNT	\$9,675.00
-------------	------------

Please advise if this amount is sufficient so that the client can obtain the proper bond.

Thank you for your consideration in this matter.

Very truly yours,


Richard G. Barger

Post-it® Fax Note	7671	Date	# of pages
To	Myra Hauser	From	G. Shaw
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
[914] 561-3695

STERLING WOODS SUBDIVISION

August 10, 1998

PUBLIC IMPROVEMENT BOND ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>Right-Of-Way</u>			
Removal of Macadam Pavement	L.S.	\$ 2,000	\$ 2,000
8" Foundation Course	110 C.Y.	\$ 20	\$ 2,200
3 Asphalt Binder Course	4,500 S.F.	\$ 1.30	\$ 5,850
2 Asphalt Top Course	4,500 S.F.	\$.85	\$ 3,825
Monuments	11	\$ 100	\$ 1,100
			<u>\$ 14,975</u>
<u>Sanitary Sewer System</u>			
Clear & Grub Easement	35,000 S.F.	\$.10	\$ 3,500
8-Inch PVC Gravity Pipe	1,510 L.F.	\$ 40	\$ 60,400
Manholes	6	\$ 1,700	\$ 10,200
4-Inch Gravity House Services	8	\$ 350	\$ 2,800
			<u>\$ 76,900</u>
<u>Water Sewer System</u>			
¾ -Inch Water Services	7	\$ 600	\$ 4,200
<u>CONSTRUCTION ESTIMATE:</u>			\$ 96,075

Shaw Engineering

Consulting Engineers

744 Broadway
 P.O. Box 2569
 Newburgh, New York 12550
 (914) 561-3695

STERLING WOODS SUBDIVISION

August 14, 1998

PUBLIC IMPROVEMENT BOND ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>Right-Of-Way</u>			
Removal of Macadam Pavement	L.S.	\$ 2,000	\$ 2,000
12" 8" Foundation Course	167 C.Y.	\$ 20	\$ 3,340
3 Asphalt Binder Course	4,500 S.F.	\$ 1 30	\$ 5,850
2 Asphalt Top Course	4,500 S F	\$ 85	\$ 3,825
Monuments	11	\$ 100	\$ 1,100
			<u>\$ 16,115</u>
<u>Sanitary Sewer System</u>			
Clear & Grub Easement	35,000 S.F.	\$ 10	\$ 3,500
8-Inch PVC Gravity Pipe	1,510 L.F	\$ 40	\$ 60,400
Manholes	6	\$ 1,700	\$ 10,200
4-Inch Gravity House Services	8	\$ 350	\$ 2,800
			<u>\$ 76,900</u>
<u>Water Sewer System</u>			
1/4 -Inch Water Services	7	\$ 600	\$ 4 200

CONSTRUCTION ESTIMATE:

\$ 97,215

\$ 3,888.60

STERLING WOODS SUBDIVISION (96-7) WINDSOR HIGHWAY

Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: This application was brought before your board I think in 1995, it was to take what was known as the Windsor Gardens subdivision or at least balance of it which was 11 lots and reconfigure it into five original lots, that is what's before you tonight, five individual lots. The approval process of this project was put in limbo because it had to buy sewer capacity from the Majestic Weaving Group and litigation was ongoing that involved New Windsor and any transfers were stopped by the Town of New Windsor. That has since been resolved. The transfer has been approved by the town and we have since obtained New York State DEC approval for the sewer main extension. And we have also received Realty subdivision approval from the Orange County Department of Health. So, we're before this board tonight having obtained preliminary approval at our last meeting and with the two subsequent approvals asking for final subdivision approval for this subdivision. As the majority of the board members are aware, this is on Windsor Highway and Mahary Lane, it is immediately south of Mahary Lane and totals a total parceled area of approximately 8.5 acres and in an R-5 multi-family zone. One quick point I'd like to bring up with respect to infrastructure, there's macadam surface on Windsor Garden Drive, we're going to be putting in a new cul-de-sac that's been approved by the highway superintendent, there's a water main that exists on Windsor Garden Drive, we'll be utilizing that and that with the new sewer main will provide center water and sewer services for the project. And one final issue, the right-of-way of the former Windsor Garden Drive was, even though it was a paper right-of-way, was owned by the Town of New Windsor and one of the conditions of our last planning board meeting was that the developer and the Town of New Windsor swap deeds giving back to the developer the balance of the paper right-of-way for his use for incorporation into these lots and two, that a new deed be given back to the town for the right-of-way and Windsor Garden Drive and that has been resolved and you

have a copy of that in your file.

MR. LANDER: So what you're saying in layman's terms you're going to have a private road here?

MR. SHAW: It's a town road.

MR. LANDER: It's a town road now?

MR. SHAW: It's a town road now.

MR. LANDER: How come the property line goes right around this town road?

MR. SHAW: Because it was given from the Town of New Windsor to the developer, okay, the right-of-way of Windsor Garden Drive and then the new right-of-way was given back to New Windsor.

MR. LANDER: Lost me there pal, you've got a property line that this person here owns all this property plus that Town of New Windsor road.

MR. SHAW: Comes down to at what point in time do you ask that question?

MR. LANDER: I'm asking it now.

MR. SHAW: As of right now, the Town of New Windsor owns that right-of-way.

MR. LANDER: Your lines are wrong then.

MR. SHAW: Because one's a little darker than the other?

MR. LANDER: That's right.

MR. SHAW: Okay.

MR. ARGENIO: The dark line has metes and bounds on it.

MR. LANDER: I'm just trying to decipher where the property line is.

MR. PETRO: The lands of Carlisle and Jaffe are on the other side of the road, are they affected by this application?

MR. SHAW: No, that was a separate application before this board which was a lot line change and it was approved by this board, the two lots lands of Carlisle and Jaffe, as you look at it physically exists but there was an application approved by this board two years ago where they obtained additional lands from Kahn to make those conforming to present zoning.

MR. PETRO: They'd be accessed off Windsor Garden Drive cause it's a town road. I want to state where it says lands of Mahary, it's now lands of Petro, I have no interest in this application whatsoever. Mark, you have nothing left on this, we have highway approval on April 25, '96, fire approval on April 25, '96.

MR. LUCAS: What's the structure that was there, Jim?

MR. PETRO: Old burnt down house, it's shot, nothing left at all.

MR. LANDER: What are we going to do with the drainage, where does it meet 32 now or does it?

MR. SHAW: It doesn't.

MR. PETRO: Goes down at the beginning of my driveway where the mailboxes are.

MR. SHAW: State put some drainage structures on Mahary Lane.

MR. PETRO: First 50 feet of Mahary Lane is owned by New York State and this empties onto that.

MR. LANDER: Is there any plans of putting drainage in the road or you don't need it?

MR. SHAW: No, it's an existing road, existing town road.

MR. PETRO: It's high, Ron, the road's higher than all

the property.

MR. LANDER: I haven't been back there.

MR. PETRO: The road will be the highest point of all the property, so drainage in the road wouldn't do anything for these lots anyway.

MR. LUCAS: Is there wetlands?

MR. SHAW: There are wetlands, they are delineated on the plans, we'll not be disturbing them other than putting a sewer main across them.

MR. PETRO: You're in the back because of the sewer extension, you're back because of the sewer extension?

MR. SHAW: Yes.

MR. PETRO: Okay, did we take lead agency? Everything is done except final approval?

MR. EDSALL: Maybe I can just get Greg to help me out, I had put in one comment about the offer of dedication but in your description of the project status, the town went through the whole land swap, now you've got a whole new metes and bounds for the road as it currently is shown here?

MR. SHAW: Correct.

MR. EDSALL: You can disregard the offer of dedication that they are even one step further, so my only comment would be the public improvement bond for the piece that they have to add for the cul-de-sac.

MR. SHAW: And the sewer main.

MR. EDSALL: Relative to the road.

MR. SHAW: Mr. Chairman, that amount of the bond has been approved by your engineer, so it's just a question of--

MR. STENT: Make a motion we grant final approval to

the Sterling Woods subdivision.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Sterling Woods Subdivision. Is there any further discussion from the board members? And that is subject to the bond being in place.

MR. STENT: Make a motion we declare lead agency on the Sterling Woods Subdivision.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Sterling Woods subdivision. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

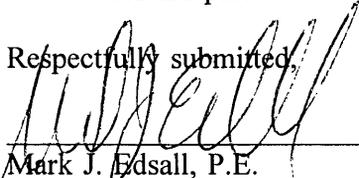
REVIEW NAME: STERLING WOODS LOT LINE CHANGE/SUBDIVISION
PROJECT LOCATION: SECTION 38-BLOCKS 1 AND 2
PROJECT NUMBER: 96-7
DATE: 12 AUGUST 1998
DESCRIPTION: THIS SUBDIVISION IS ACTUALLY IN THE FORM OF A MULTIPLE LOT LINE CHANGE FOR AN EXISTING ELEVEN (11) LOT SUBDIVISION KNOWN AS THE "WINDSOR GARDENS" SUBDIVISION. THE LOT COUNT IS BEING REDUCED TO FIVE (5) SINGLE-FAMILY LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 13 MARCH 1996 AND 24 APRIL 1996 PLANNING BOARD MEETINGS.

1. Since the previous appearance before the Planning Board, the Applicant has obtained the necessary sewermain extension approval from the New York State Department of Environmental Conservation, as well as approval from the Orange County Department of Health.

In addition to these agency approvals, the Applicant has coordinated with the Town Board and has caused the necessary abandonments to occur based on this revised layout.

2. The Applicant's Engineer has responded to all other review comments with regard to this lot line change/subdivision.
3. If the Planning Board considers final approval for the project, same should be with the condition that the Offer of Dedication be submitted based on the revised roadway layout, a Public Improvement Bond Estimate be submitted for the public improvements and all fees are paid.

Respectfully submitted,



 Mark J. Edsall, P.E.
 Planning Board Engineer
 MJEmk
 A:STERLIN.mk



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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 96-7
 WORK SESSION DATE: 7 OCT 98 APPLICANT RESUB. REQUIRED: new plan
 REAPPEARANCE AT W/S REQUESTED: No
 PROJECT NAME: Sterling Woods Subdiv
 PROJECT STATUS: NEW _____ OLD X
 REPRESENTATIVE PRESENT: Greg Shaw
 MUNIC. REPS PRESENT: BLDG INSP. _____
 FIRE INSP. X
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

need more land for kabin property,
therefore all 1/4's need to
be revised

reactivate old app?

4MJE91 pbwform

Page -2-

6. THAT the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

July 20, 1998
Date


M.J. Schleifer, P.E.
Assistant Commissioner

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, New York 12561-1696
Phone: (914) 256-3032 FAX: (914) 255-3042



John P. Cahill
Commissioner

April 28, 1998

GREGORY J SHAW, P.E.
SHAW ENGINEERING
744 BROADWAY P O BOX 2569
NEWBURGH NY 12550

RE: STERLING WOODS SUBDIVISION
SEWER EXTENSION PLAN REVIEW
TOWN OF NEW WINDSOR, ORANGE COUNTY

Dear Mr. Shaw:

I have completed my review of the above project to construct new sewer lines for the above subdivision. My understanding of the history of the project is that this property was originally subdivided in 1956/1957. It has mostly remained undeveloped until recently when it came before the Planning Board for several lot line changes. Therefore, the Negative Declaration adopted by the Town of New Windsor Planning Board on December 3, 1997 for the lot line changes satisfies compliance with the State Environmental Quality Review (SEQR) Act.

As you are aware, there is a Class "D" stream located on the southwest portion of the development and a permit under Article 15 of the NYS Environmental Conservation Law (ECL) is not required to disturb the bed or banks of a Class "D" waterbody. Although a review of the submitted plans show that there is no development proposed within this stream corridor, you should be aware, however, that any project undertaken should not contravene the water quality standards of the stream.

I have also determined that there are no freshwater wetlands protected under Article 24 of the ECL located on the project site.

Therefore, by copy of this letter, I am informing Mr. Leonard Meyerson of the DEC's Division of Water in Tarrytown to proceed with the sewer extension plan review. If you have any questions, please contact me at (914) 256-3040.

Sincerely,

Ruth D. Bean
Environmental Permits

RDB:Sewerext.win

cc: J. Marcogliese/L Meyerson
Town of New Windsor Planning Board
R Shulkin, Don-Bar Development Corp.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4630
Fax: (914) 563-4693

MdM

OFFICE OF ATTORNEY FOR TOWN

May 16, 1997

Jerard S. Hankin, Esq.
Hankin, Hanig, Stall & Caplicki, LLP
1004 Union Avenue, P. O. Box 7229
Newburgh, N. Y. 12550

Re: Sterling Woods Subdivision
Crystal Clear Abstract Corp. Title No. DAV-8699
CC 7622
Windsor Garden Drive

Dear Jerard:

A meeting took place in the Attorney's Office at Town Hall this morning concerning Windsor Garden Drive. Your surveyor, Bill Hildreth, L. S., attended the meeting at my request.

At the meeting we determined to follow the following course of action on Windsor Garden Drive.

The Town of New Windsor recognizes the practicality of realigning the old and inaccurately-described road network in the subdivision. As discussed in earlier correspondence, only a portion of the road network from 1997 has been accepted and used as a Town road. The rest of the road network indicated on former subdivision plans is merely a paper road network or Town of New Windsor-owned real estate which the Town can transfer out without a problem.

At the Town Board meeting of June 4, 1997 I shall request that the Town Board authorize a deed from the Town of New Windsor to your client, Don-Bar Development Corp. The deed to be executed will contain a reference as well as a description for the 1957 deed to the Town of New Windsor, but the deed shall **except** that portion of the road network which is presently a Town road. Once the deed out has been authorized by the Town Board on June 4, 1997, I shall forward it to your title company for recording.

From that point forward the Sterling Woods Subdivision should be clear to proceed in front of the Planning Board.

The only action to be accomplished in the future with respect to the Town road is a dedication of a small piece of land at the cul-de-sac at the end of the road.

I am sending a copy of this letter to the Town Planning Board, and requesting that it keep an eye open in order to be sure that the dedication of that small piece of land to the Town of New

Windsor is accomplished.

I note that you have already prepared and submitted a deed for that piece of cul-de-sac, and I have received a description of it from your surveyor. I shall proceed with the dedication to the Town of New Windsor by making use of the deed which you have furnished me and the surveyor description, when the Town Planning Board stamps the subdivision approval; and when I have the appropriate bond in place. At that time also I shall request that Crystal Clear Abstract Corp. come to the Town Attorney office and turn over a title policy for the land to be conveyed to the Town. (Reference title policy as above).

Very truly yours,

Philip A. Crotty
Attorney for the Town
pac/pab

cc: Supervisor Meyers
Mark J. Edsall, P. E.
Andrew S. Krieger, Esq.
Myra Mason

interoffice
M E M O R A N D U M

to: W. James Pullar, Highway Superintendent
Mark J. Edsall, P. E.
Andrew S. Krieger, Esq.

from: Phil Crotty

subject: **STERLING WOODS SUBDIVISION**

date: September 20, 1996

A meeting took place in my office yesterday. It was attended by Jerard Hankin, Esq. who is the attorney for the **Sterling Woods Subdivision** (owned by Dick Shulkin), as well as Lee Ann McCollum, representing Crystal Clear Abstract Company. The following were agreed upon:

1. The attorney will arrange for a metes and bounds description of the part of the roadway which is presently owned and maintained as a town road, under the NYS Highway Law.

2. A metes and bounds description will be prepared by Bill Hildreth, L. S. We will have to check it against the records in Town Hall to be sure that the town road actually lines up with what the metes and bounds description will indicate.

3. Once the metes and bounds description is prepared, then a deed will be prepared from the Town of New Windsor back to the developer, which will contain an "excepting" provision which will leave remaining in possession in the Town of New Windsor the real property which constitutes our existing road.

4. The attorney will then prepare a deed from the subdivider to the Town of New Windsor for the premises which will constitute the new road for the subdivision, when and if that road is finally prepared for take over by the Town of New Windsor. The name of that new road will be Windsor Garden Drive.

5. The title company will prepare a title report at this time to be followed by a title policy at the time the Town of New Windsor takes over the new road, which will indicate that the various lots on the proposed subdivision map line up in some fashion with the tax map lots (they do not line up number for number at this time, so there shall have to be a correlation); and also the title company will prepare a statement for inclusion in the title policy to the effect that "a search of the Orange County Clerk's records does not indicate that the premises to be conveyed are a town road in the Town of New Windsor under the NYS Highway Law."

The next step to be taken is by the developer and his attorney and title company, in conjunction with the surveyor.

PAC

DON-BAR/STERLING WOODS LOT LINE CHANGE (96-7) WINDSOR
GARDEN DRIVE

Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Mark, I want to get one thing understood. We're not doing subdivision, just three lot line changes to accomplish the same end?

MR. EDSALL: Well, it's, I don't know that I can quantify the number of lot line, I mean overall it's three different applications. The first application which previously was submitted with the name of being a subdivision in fact we have determined that is as well a lot line change by virtue of the fact that you are going from 11 lots to five lots.

MR. SHAW: Yes, then again no, plus two, the two is one, is on the north side of Windsor Gardens Drive.

MR. EDSALL: For this application on this side of Windsor Garden, the first application is 11 to 5, correct?

MR. SHAW: Correct.

MR. EDSALL: So actually we have, segment is a nasty word when you talk about SEQRA, but for this particular procedure, subdivision or rather lot line changes, we have broken it into three applications, all of which are lot line changes.

MR. PETRO: Before we continue, just for the minutes, I want to state where it says lands of Hughes on the south side of the railroad tracks is now my property, I have absolutely no connection to this application, my residence is also to the north of this property and again, I have absolutely no connection to this application. Okay, Mr. Shaw?

MR. SHAW: What I'd like to do is speak to you about all three lot line changes cause they are really interwoven as Mark said. Maybe the best place to start is on this drawing one of four indicating existing

Windsor Gardens Drive subdivision. The shaded in lots are really the property that we're talking about, Windsor Gardens Drive is a developed road to this point. From this point on around the loop is a paper street. It is also owned by the Town of New Windsor. It is owned by the town, not by the private developer. This constitutes, just bear with me, 13 lots total, I'll break up the lot line changes in a second. I just want to give you an overall view of where we are going, there's 13 existing lots that have section block and lot numbers and tax bills, we're taking 13 lots and we're doing lot line realignment and we're creating or we're realigning to create only 7 lots. A total of 7 we're going from 13 to 7. The three lot line changes are the vehicles on how we're going to do that and I'll go over that in a second. But I just want the board to keep that in mind we're taking the shaded in property which is 13 lots and just creating 7 lots out of it. All right, let's explain how we're going to do that. One of the drawings that you have in your file and I don't know if it is before you or not is a lot line change between Carlisle and Jaffe, who on this shaded in property and with Conklin, what is happening is Conklin is giving a piece of land to Carlisle and Jaffe and Jaffe is taking that land and making their two existing lots bigger so that is one lot line change.

MR. PETRO: Reason for making them bigger?

MR. SHAW: Reason to make them bigger is because the existing lots are undersized, all right, this is a zone which requires a minimum of 15,000 square feet per lot with central water and sewer and it's in an R-5 zone. So again, we're taking a piece of property, I think it's 40, 50 feet in width bringing it into the, into this shaded lot and now creating two lots which meet your zoning. That is step number one. That is lot line change number one. Let's go to lot line change number 2, which is the drawing in front of you one of four. We're taking it, this shaded portion and the property which is owned by the Town of any Windsor and creating five lots. What's going to happen is we're going to petition the town to give us back this portion of land which is theirs and incorporate that into our layout to create the five new lots. That is entitled

the lot line change for Sterling Woods subdivision. That is step number two.

MR. DUBALDI: Windsor Garden Drive, you're proposing a private or public road?

MR. SHAW: It's an existing public road.

MR. DUBALDI: You're going to petition that the town give it back to you?

MR. SHAW: No we're going to petition that the town give us back that paper street, this portion which is not built upon so step number 2 is to take the interior lots and create five lots with it. The third lot line change is with the property to the south by the name of Kahn. We're going to give them a 60 foot strip of land to make that lot legitimate. Presently, it is landlocked, it has no frontage on a town road or a private road. So again, that is the third lot line change between Carlisle and Jaffe and Kahn and we're proposing to give them again a 60 foot swath and you can see it here shaded, this is the present termination of Windsor Gardens Drive, here's one of the lots that we created with Sterling Woods subdivision, here's Kahn's property and this shaded portion is the 60 feet which is going to go to Kahn. Now you may ask why are we such nice neighbors to give the gentleman the 60 feet to have a building lot?

MR. PETRO: How about you're getting a sewer line or something out of it?

MR. SHAW: Very good point. We're going to be providing this project with central sewer in the Town of New Windsor to get to the town's sewer line that comes from Continental Manor, we have to cross Mr. Kahn's property. The drawings before you reflect a 20 foot wide easement for the sanitary sewer line in order to get to the town's line, we recognize that there's a moratorium with the New York State Department of Environmental Conservation, this will be a sewer main extension which will require DEC approval and we are going to be in a little bit of a bind because where we had hoped to purchase capacity from the Majestic

Weaving District, I'm of the opinion that that is no longer permissible because the Town of New Windsor has elected not to allow the transfers to happen right now. So our game plan is to get the preliminary with this board and then wait for the resolution of the sewers.

MR. EDSALL: If I can jump in just for a second, just for the board's benefit, a little clarification. The decision not to proceed with executing these reallocation agreements is not really one that the town precipitated. It's as a result of the fact that the principal of Majestic Weaving, I think it's Cornwall Development Company is the name of the organization they are suing each other and as the litigation is ongoing, the counsel representing both the Town of New Windsor and the Town of Cornwall has agreed that it would be inappropriate for both towns to be signing off on these reallocation agreements while the issue of the legitimacy of reallocating flow is before the courts. So it's one that the town is merely sitting back until the lawsuit is over and they really don't have any objection.

MR. PETRO: It's out of our control.

MR. EDSALL: Really not the town deciding not to sign them, it's as a result of litigation between the partners themselves.

MR. SHAW: Correct.

MR. EDSALL: I wasn't sure if the board knew that that was ongoing or not.

MR. SHAW: Okay. What physical improvements we're proposing at this time, again, I mentioned the sanitary sewer line, Windsor Gardens Drive presently has municipal water, there's a hydrant at the termination of it. We have through Mark Edsall and the highway superintendent worked out an arrangement for the cul-de-sac at the end. Right now, it's presently approximately a 20 foot wide macadam drive that just stops. We're proposing a 70 foot diameter cul-de-sac at the end which will be built in accordance with the town specs in order for vehicles to turn around and

return back out onto Windsor Highway without having to do any backing of their vehicles. So again, that is a physical improvement that we're proposing for the site. I think issues that we should be discussing tonight are the simplicity of the lot line changes, whether or not we're going to have a public hearing because they are lot line changes. My client and myself are of the opinion that it is not necessary to have a public hearing. But this board is going to make that decision and we'd like to move as close as we can to preliminary subdivision approval recognizing full well you had one application a month or six weeks ago and you received for the first time two new applications for the lot line changes for this meeting so we're going to have to address SEQRA for the two new applications and tonight hopefully and wrestle the public hearing issue.

MR. PETRO: Mr. Shaw, two issues that come to mind rather quickly, the first one I want to touch on is the drainage lots of this water obviously comes down, I think some wet areas. I know you went to the site with the owners and have actually channeled where the water's going, how would it be changed more towards the Windsor Highway area? I don't see any dotted lines which would indicate channels of water, is it just going to sheet flow to the rear of the property, is there any catch basins in the road?

MR. SHAW: No, none whatsoever, basically, the drainage pattern that exists today is going to continue after development, we're going to take our parcel, we're going to be bringing in some fill for the five lots which are on the south side of the drive to create pads for the houses and after that, it's just going to be sheet overland flow through the woods where it ends up against the ConRail property ponds, works its way until it hits a culvert and works its way south.

MR. PETRO: Lot number 5 I know it's very wet in the rear, some of the water comes across, I'd be interested to see where you're going to plot a home on that property.

MR. SHAW: That should be Mr. Chairman on drawing number 3 of 4 in your set. And the grading for the lot

is shown on sheet 2 of 4.

MR. PETRO: You're not going to be widening the road or in the cul-de-sac that you are creating again, you're not going to be adding some catch basins or bringing any water off the site?

MR. SHAW: Correct.

MR. PETRO: The two lots that you are getting or going to be putting up on the other side which would be lot number--

MR. SHAW: Adjacent to the Conklin property.

MR. PETRO: Mahary Lane, that water there where it presently just sits in that area now do you plan on doing anything on those two particular lots?

MR. SHAW: Well, there will be houses developed on those two parcels and driveways and that water will drain towards Windsor Highway more than likely hit the pavement of Windsor Gardens Drive and work its way over towards Mahary Lane.

MR. PETRO: That brings me to the third point here. I had mentioned two or three times that the entrance to Mahary Lane is in bad disrepair and obviously, you're going to have another 7 homes in here and I wanted to see some upgrade or something to the entrance but in the meantime, I have been in receipt of two or three letters from Mr. McGoey, Mark, your firm I guess has been working with the state to upgrade the first 50 feet of that, i.e., with some catch basins and new blacktop. And there's going to be an upgrade of the intersection done by the state. So what I am trying to say, I'm going to back off your particular application because it is being handled through the town engineer and New York State and I feel very confident that it is going to happen.

MR. SHAW: We appreciate the fact that at the last meeting you mentioned the fact that you were going to contact DOT and I'm glad you did because it's a loose end, hopefully it's been taken care of.

MR. PETRO: I think it's going to be a much improved intersection when they get done. They are trying to, it would also help the two lots that are adjacent to Mahary Lane in the rear because all that water is going to hit exactly where you said right at the end of Windsor Garden, just swales right over and goes onto Mahary Lane and goes 50 foot down to the road but they are planning some catch basins there. Mark, do you have anything to add?

MR. EDSALL: No, I think what's happening is that DOT is looking for an improvement along this whole section of Windsor Highway and two of the issues that our office has been working with the DOT is not only this intersection with you but there is a number of drainage problems through the entire area and effectively we have been asked by the town board to make sure that the DOT does not ignore those problems when they do their design.

MR. PETRO: They are very aware of it.

MR. EDSALL: So we're endeavoring to have them do as much as they can for us.

MR. PETRO: Gentlemen, do you have any other comments you want to make on the layout of the project? I think one thing we have, you should keep in mind this was zoned R-5.

MR. SHAW: Correct, it's zoned R-5.

MR. PETRO: Which is multiple dwelling, it could be a much denser use if another applicant was here before us. They've taken 13 lots and reduced that number down to 7 and I just want to keep that in mind during the whole application which certainly gives a much lesser impact onto the area. Also if it was R-5, did you ever calculate how many units would be allowed on the site?

MR. SHAW: Quite a few because you're allowed 6 units per acre, and it should be somewhere on the plans the total acreage of the parcel, it's 9.34 so if you take six times 9, 50 units and that is just on the Sterling

Woods portion, not the parcel across the street by Conklin.

MR. PETRO: Not the land that you'd be acquiring by the road change, okay, I think I made my point.

MR. DUBALDI: Any problem with us taking lead agency with the wetlands on lots 4 and 5?

MR. EDSALL: NO, as a matter of fact, on two of the three applications, you could effectively go through the SEQRA process with no problem. This one although I believe it is a fairly straightforward application, you have got DEC is another involved agency so you have got to decide if you are going to do a coordinated review or independent review.

MR. PETRO: They are only involved with the sewer moratorium, is that correct, that is their only involvement? Why can we not do our own review?

MR. EDSALL: We have to be careful that we expressly state that we're doing an uncoordinated review because in the past when we have not been absolutely clear, it's been misinterpreted as being a case where we took lead agency coordinated, I wouldn't name any applications but that was a misunderstanding in the past.

MR. PETRO: I don't see any problem, this is a 7 lot--

MR. EDSALL: The law allows you to classify as an unlisted action and do an uncoordinated review and given the moratorium the fact they can't go there right away maybe it does make sense.

MR. SHAW: Absolutely, at least it will get us to preliminary. What's going to happen when I'm ready to submit to the DEC for sewer approval, they review it in Tarrytown, they'll kick it up to New Paltz for SEQRA clearance and at that point, they'll go through their own SEQRA process, all right, in order to allow us to have the drawings technically reviewed. So with this board taking it upon itself to resolve SEQRA, well, just means there's one more hurdle down the road with

the DEC but we prefer that because it gets us a step closer to preliminary approval.

MR. PETRO: I agree with you on that. Well, let's start with the first one on the Don-Bar Sterling Woods lot line change on Windsor Garden Drive on this particular one, we have fire approval on 3/12/96 and we have highway approval on 3/11/96.

MR. DUBALDI: I make a motion we declare ourselves lead agency under the SEQRA process.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Sterling Woods subdivision lot line change on Windsor Garden Drive. Is there any further discussion from the board members?

MR. EDSALL: I would just enter into the record Jim just again because it has been severely misunderstood in the past that under Section 617.6 of the SEQRA regulations it permits an uncoordinated review for unlisted actions involving more than one agency, this clearly involves more than one agency, you're doing uncoordinated review, you're being lead agency on the subdivision application and expect DEC to do their own independent SEQRA review.

MR. PETRO: So noted for the minutes. Any objection to what Mr. Edsall said? Roll call.

ROLL CALL

MR. DUBALDI AYE
MR. STENT AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: Let me ask you this. I'll ask Andy. The public hearing, if we, at this time, they are here for preliminary approval, if we should waive the public hearing for preliminary, we can have one for final?

MR. KRIEGER: Yes.

MR. PETRO: Thank you.

MR. DUBALDI: I make a motion we waive public hearing.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that New Windsor Planning Board waive public hearing for the Sterling Woods subdivision lot line change Windsor Garden Drive. Is there any further discussion? If not, roll call.

ROLL CALL

MR. DUBALDI AYE
MR. STENT AYE
MR. LUCAS AYE
MR. PETRO AYE

MR. PETRO: I think, Mark, we didn't leave anything out if we go into a final, approval for preliminary, just a preliminary approval.

MR. EDSALL: I believe so, understanding that one step which they should pursue after they have preliminary not only the sewer issue but in my comment number 4, it indicates that they have to go to the town board to determine what's abandoned to the adjoining property owners which happen to be all the same property owners, the portion of the roadway which is not developed and is not needed for the subdivision cause that may take some time. So they should do that. We should suggest that following this they should move forward on that and that is part of your preliminary approval. That is contingent on obviously the town board agreeing to abandon it because the layout is not valid if the town board refuses.

MR. SHAW: We're fully cognizant of that.

MR. PETRO: State that for all three of the applications, unless the roadway is dedicated over.

MR. EDSALL: Only affects this one.

MR. PETRO: That is right, okay.

MR. SHAW: Our attorneys are ready to approach the town.

MR. EDSALL: I made the comment on 5 about lead agency, I wasn't far.

MR. DUBALDI: I make a motion we declare negative dec.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Sterling Woods subdivision lot line change on Windsor Garden Drive.

MR. EDSALL: Just to get something in the record, obviously, the board is fully aware that if anything, this have a decreased impact because of the lot count significantly being reduced, the only potential impact would be if they are unable to get public sewers, there would have to be on-site designs which I would at that point suggest you reopen SEQRA but I'm sure they are not going in that direction.

MR. PETRO: Also I'd like to make mention that Mr. Dubaldi had used the word wetlands in the back of number 5, used that word, I think he just meant wet lands but not as a designated wetlands because there are none in this area.

MR. DUBALDI: That is correct.

ROLL CALL

MR. DUBALDI AYE

MR. STENT AYE

MR. LUCAS AYE

MR. PETRO AYE

MR. DUBALDI: Make a motion we grant preliminary approval to the Don-Bar Sterling Woods lot line change,

April 24, 1996

40

Windsor Gardens Drive.

MR. LUCAS: Second it.

MR. PETRO: Subject to Mark's comments earlier. Motion has been made and seconded that the new Windsor Planning Board grant preliminary approval to the Sterling Woods subdivision lot line change, Windsor Garden Drive, subject to mark's earlier comments, granting the okay from the town to dedicate that land to this applicant. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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Milford, Pennsylvania 18337
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: STERLING WOODS SUBDIVISION LOT LINE CHANGE
PROJECT LOCATION: WINDSOR GARDEN DRIVE
SECTION 38-BLOCK 1
PROJECT NUMBER: 96-7
DATE: 24 APRIL 1996
DESCRIPTION: THIS APPLICATION INVOLVES A MULTIPLE LOT LINE CHANGE REDUCING THE NUMBER OF LOTS FROM ELEVEN (11) TO FIVE (5). THE PLAN WAS PREVIOUSLY REVIEWED AT THE 13 MARCH 1996 PLANNING BOARD MEETING.

1. This application takes eleven (11) of the thirteen (13) lots of the existing subdivision and reduces those eleven (11) lots to a total of five (5) lots. The plans now include a reference plot of the existing subdivision configuration.
2. This application also includes a proposed sewermain extension, which will run through easements through each of the subdivision lots, to Garden Drive. The Applicant has been advised of the current moratorium for sewer extensions in the Town and the reallocation alternative from the Majestic Weaving District.

The plans also include a proposed route for the sewerline, details for construction, and a sewermain profile. An application to the New York State Department of Environmental Conservation will be necessary, with such application requiring the acceptance and signature of the Town Supervisor. This improvement will be a dedication to the Town; as such, this will be included in the Public Improvement Estimate required for this lot line change.

3. With regard to the existing Windsor Garden Drive roadway, the Highway Superintendent has concurred that the road should have a cul-de-sac constructed as the condition of this lot line change. The cul-de-sac has been shown on the drawings. This is also a public improvement which will be included in the bonding.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: STERLING WOODS SUBDIVISION LOT LINE CHANGE
PROJECT LOCATION: WINDSOR GARDEN DRIVE
SECTION 38-BLOCK 1
PROJECT NUMBER: 96-7
DATE: 24 APRIL 1996

4. As previously discussed briefly, this application will require that portions of the previous proposed Windsor Garden Drive be abandoned by the Town Board. The Applicant should proceed with this procedural item by contacting the Town Board, by letter, providing a description of the area to be abandoned and a new description of the Windsor Garden Drive dedication (since the new layout includes a cul-de-sac).
5. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
6. The Planning Board should determine if a **Public Hearing** will be necessary for this **lot line change**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
7. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.

Planning Board Engineer

MJEmk

A:STERLIN.mk

RESULTS OF P.E. MEETING

DATE: April 24, 1996

PROJECT NAME: Steakery Woods - L.P. Chap PROJECT NUMBER (96-7) 12, 13

LEAD AGENCY: _____ NEGATIVE DEC: _____

M) D S) LU VOTE: A 4 N 0 M) D S) S VOTE: A 4 N 0

CARRIED: YES NO _____ CARRIED: YES: NO _____

PUBLIC HEARING: M) D S) LU VOTE: A 4 N 0

Preliminary Approval Only

WAIVED: YES NO _____

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.E.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) S) VOTE: A N APPROVED: _____

M) S) VOTE: A N APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Preliminary Approval - (m) D (S) LU - Sub to Mark's Comments
4 Ayes 0 Nays

Must get approval from Town Board - for Land Dedication

STERLING WOODS SUBDIVISION (96-7) WINDSOR HIGHWAY

Gregory Shaw, P.E. of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: At this time, I'd like to welcome the Town of New Windsor Supervisor, Mr. Meyers, to our meeting and we appreciate him sitting in on the planning board meeting. We looked at this on a concept basis only, right, sometime ago?

MR. SHAW: Yes.

MR. LANDER: Can you let us know where we're at here?

MR. SHAW: Okay, the application before you is for the Sterling Woods subdivision. Before I get into this proposal before you, maybe we want to just take a quick look at the bottom right-hand corner of the plan before you. What you are looking at is the existing Windsor Gardens subdivision. This subdivision again on the bottom right-hand corner is an approved subdivision, it was approved 30 years ago, possibly, the roads indicated on that subdivision, Windsor Garden Drive belonged to the Town of New Windsor. They are the owners in fee of the roadway. Although only portions of that area are built. So what it is, it's an existing 13 lot subdivision, the lots which are shade shaded in are presently undeveloped. If you look again at the names Spatolla (phonetic) and Conklin, those are lots which do not belong to the applicants which have been sold off during the years and have residences on them so that is a good place to start on, what's on the site now and what exists, that being two homes, two adjacent lots which belongs to the owner of those residences and 13 lots which have been approved. I don't want to say that which are filed in Goshen and which can be built upon, if it meets certain conditions. When we first started examining this subdivision, we came up with a little bit more of an aggressive layout and just pass this before you, this was a 13 lot subdivision lot line realignment but we basically took the 13 lots as they exist on the tax maps and re-oriented them. We're going to install a new road, it was going to be approximately 600 feet

long and we're going to create 13 lots off of it. The lots would be serviced by a water main which would be tied into the line on Mahary lane and lots would also be serviced by municipal sewer. That sewer line was proposed to run to the south to the, over the lands of Cananti (phonetic) into the New Windsor sewer system on the lands of Cadonics (phonetic), there's an easement for the sewer line that is the line that comes down from Continental Manor. Looking over that plan there was a certain amount of concerns that my client felt would have to be addressed with this planning board and they took a second look at it and thought maybe something not too aggressive would be a better route. And what we have presented formally before this board tonight is this 7 lot subdivision. Our proposal is to leave the existing Windsor Gardens Drive as it presently exists, it's a right-of-way, it has a pavement surface on it, it's owned and plowed by the Town of New Windsor, we're proposing to create 7 lots off of it. In order for the lots to be created, we'll be bringing in a 40 foot piece of land from Conklin and that will be coming into the parcel that will be part of parcel one, all right.

MR. PETRO: Let me hold you off right there, aren't we going to need a lot line change also?

MR. SHAW: That is a conversation which we had at the workshop which I don't know if there's a firm answer on it yet, it vacillates between subdivision and lot line change and I'll defer to Mark as to what the appropriate terminology is.

MR. PETRO: Well, the subdivision is going to encompass the property that is owned by the applicant, you're acquiring new property from the Conklin party which obviously is changing the outline of the subdivision.

MR. SHAW: There will be two applications, okay, just hold that thought for a second. In addition to acquiring property from Conklin, we're giving property away also we're giving this 60 foot wide swath of land which is shaded to Kahn, presently that parcel is landlocked, it has no access and we're giving it 60 feet so that it will have access to Windsor Gardens

Drive which is a town road. So once we get further into the process, while the subdivision application will continue, there will be a lot line change application between Sterling Woods subdivision and Conklin and a lot line change application between Kahn and Sterling Woods subdivision.

MR. PETRO: You'll need to sign proxies here.

MR. SHAW: Absolutely.

MR. PETRO: Continue.

MR. SHAW: So the parcel is in the R-5 zone. We're obligated as we're providing central water and sewer 15,000 square feet per lot, the lot, width of a width of 100 feet, the lots are substantially more in size while we do have a few at 15,000, the lots on the southerly side of Windsor Gardens Drive vary from 35,000 square feet which is probably 7/10 of an acre to 2 1/2 acres to 2 3/4 acres so lots 6 and 7 are quite substantial, lots 3, 4 and 5 are approximately 7/10 of an acre to probably 1.2 acres, then the two on the other side of Windsor Gardens Drive are a little over minimum of 15,000 square feet but again, it's all in conformance with the zoning ordinance. We have done a wetlands study for the project, they have been marked, the surveyor has picked them up and they have been reflected on this drawing. I'm noting that the housing units are substantially away from the wetlands area. This drainage course is also the outlet for the Ephiphany College pond and certain times of the year, that can convey a good amount of flow. But again, we're removed from it, again with the lesser intense plan going from the 13 lots to the 7 lots afford us the luxury of maintaining a good separation distance from that stream and being uphill of it.

MR. PETRO: Down to some hard facts here, number one, is that was a nice presentation, how are you going to acquire the sewer points?

MR. SHAW: That is a good question. I became aware I believe it was last Friday that presently the arrangement of transferring allocation from the

Majestic Weaving Group, the developers and the Town of New Windsor, such as what we did with the Windsor Woods subdivision is on hold indefinitely. My client is aware of that, my client wants to continue with this application to the point of getting preliminary approval and he's an optimistic chap where he feels that this will be resolved in the future, okay, and if it means he has to wait a little while for it to happen it will but things will change which will allow capacity to be purchased or some other vehicle.

MR. PETRO: We'll progress to that point and cross that bridge when we come to it.

MR. SHAW: He's fully cognizant of it and willing to move forward with the application.

MR. LANDER: Can you tell me Windsor Gardens Drive is an existing town road, it's dedicated to the town?

MR. SHAW: It's owned by the town. It's going to have to revert back to the developer in order for him to create this subdivision. That is a detail that is going to have to be worked out with the town and it's attorney.

MR. STENT: So it is going to become a private road?

MR. SHAW: What you have, and again, this right now has a physical paved surface on it, this is just a paper street, this paper street is going to revert back to the developer and the town will continue to maintain the drive.

MR. PETRO: Greg, we have one very important issue here and this is the exit out onto 32 and Mark, you have had a question here, I have a little knowledge of this, I want to state for the minutes I live up on the end of Mahary Lane, I exit and enter off Mahary Lane, which is Windsor Garden Drive is going to cross over to get access to Route 32, but I have in no way any connection to this applicant. But I do have knowledge of this entrance and that is why I am leading up to that, I believe that the Town of New Windsor owns the first 50 feet of Mahary Lane and that actually Windsor Garden

Drive continues, overlays Mahary Lane, that is how they have access to Route 32. If that was not the case, then obviously they would have a town road with no way to get to it.

MR. EDSALL: Exactly.

MR. PETRO: I was told it's New York State DOT but I believe it's Town of New Windsor that owns first 50 feet of Mahary Lane. The upgrade of that intersection is imperative for two reasons. One, the water drainage that comes down off Mahary Lane which just recently has washed away part of the entrance and secondly, there's no blacktop there at all, it's gone and we don't necessarily need to lay this onto these particular applicants, but somehow something needs to be done, maybe a catalyst with the town or state to get something going, I know that Mr. McGoey has already sent a letter, your firm's involved with that.

MR. EDSALL: Well, the DOT is looking at an improvement project along this section of 32 and I know Dick McGoey has been working with DOT engineers with regard to some physical concerns and as well drainage concerns.

MR. PETRO: But I think somehow this plan needs to be clarified and show that the Windsor Garden Drive does in fact cross over onto Mahary Lane and is a town road, I think Mahary Lane ends at Windsor Garden Drive, the way it's shown on this map, it's reversed.

MR. SHAW: Yes.

MR. PETRO: You have a town road right now dying on a private road.

MR. SHAW: No, you'll see on the plan on Mahary Lane, a line across Mahary Lane called New York State DOT right-of-way line. Again, that information was obtained from the project surveyor and he's telling me that Mahary Lane from the edge of pavement or actually from the right-of-way line up to that line across Mahary Lane is owned by the New York State DOT.

MR. PETRO: Then your town road is entering onto the

state right-of-way, is what you're saying?

MR. SHAW: Correct, the town road of Windsor Garden Drive is entering into the right-of-way the New York State DOT which is a portion of Mahary Lane prior to going into--

MR. PETRO: Do we know that for a fact? We'll find out if that is the case then they can get the state to come in and fix the entrance.

MR. SHAW: Do I know it for a fact? My memory is that that is correct and that information was given to me by Bill Hildreth, the surveyor. I'll doublecheck to make sure it is a fact.

MR. LANDER: I can tell you this, I wouldn't hold my breath to have the state come down here and do anything. It's been like this for as long as I can remember.

MR. PETRO: If you have seven more homes, what is it, about two cars per home?

MR. EDSALL: Yeah, I would look at whatever improvements also that the highway superintendent is going to recommend. While we're talking about road improvements, I'm suggesting and assuming that the highway superintendent is going to want to have a cul-de-sac constructed since one was never constructed and since now you're abandoning the ability to loop through, I would assume he is going to want a cul-de-sac but my suggestion is that you wait until you hear from Jim Pullar as to what his recommendations are as well as he maybe looking for some other improvements given the increase involved.

MR. PETRO: Why don't we have one drawn on there?

MR. SHAW: Why don't we have a cul-de-sac?

MR. PETRO: Yes.

MR. SHAW: Why should I spend my client's money unnecessarily?

MR. PETRO: If I go there to visit and I make a wrong turn, how am I going to get out of there?

MR. SHAW: Back up. How many houses are on Mahary Drive, how do you get out of there?

MR. PETRO: I never counted them.

MR. BABCOCK: Maybe I can ask the applicant a question, if the Town of New Windsor owns this, why doesn't the Town of New Windsor own this too?

MR. SHAW: They do own it.

MR. EDSALL: They have to go through an abandonment procedure for this.

MR. SHAW: Mr. Chairman, going back to the question I had asked before about why weren't improvements indicated, there is a couple things going on. As you mentioned, the DOT is going to come along and make some improvements to Windsor Highway, we don't know for sure exactly what it is going to consist of, above an overlay, there may be some improvements planned for this intersection. We're going to have to find out from the DOT if there are any and hopefully there are, hopefully they do view this point of intersection as warranting some improvements. With respect to why weren't improvements shown on Windsor Garden Drive, I was of the impression because this is an existing town road and we're just taking the opposite side of the street and creating lots, that it was not incumbent upon us to improve that road to the current town specs.

MR. PETRO: I agree with Mr. Shaw, I think we had a conversation about this at one time, I'm talking about the existing, nothing to do with the cul-de-sac, but the town roads as it stands we're just taking lots off of it and why the applicant would need to bring that up.

MR. EDSALL: I don't believe at this point I have said that or recommended that they need to improve it to current town standards, I don't believe Jim Pullar has

said that yet. Here you are looking at a town that is abandoning 700 foot of potential road to create a loop, I think at minimum you need a cul-de-sac and the highway superintendent when he looks at the abandonment recommendation should give the town board and this board a recommendation as to whether or not he feels the road is adequate.

MR. PETRO: We have one slight glitch, we have highway approval on 3/11/96 that doesn't mean that we can't go back to Mr. Pullar and I can see where he might have been not completely informed because maybe he thinks that this right-of-way is going to continue, maybe he didn't see that we need a cul-de-sac there but I would agree with him that we don't need to get the rest of that road changed.

MR. STENT: Rest of the road is going to be abandoned.

MR. PETRO: We're talking about the part that is remaining that is existing, it's not quite up to town specs.

MR. EDSALL: To be honest with you, I think the applicants would prefer building a cul-de-sac because I don't believe they want every truck and car that goes in there to turn around in the their driveways or cross their lawns.

MR. PETRO: Why don't we look into that, even though we have highway approval.

MR. SHAW: My clients are here, well, they'll have to go back and re-evaluate it. Do you want to say anything?

MR. RICHARD SHULKIN: Mark, you know I'm a realistic person, you feel that the cul-de-sac is needed at the end?

MR. PETRO: Can you just come up and identify yourself.

MR. SHULKIN: Richard Shulkin, I'm the applicant, as far as the cul-de-sac, it's something that we had considered, frankly we're giving up the land to get to

Kahn's property and freeing that up and we were, if it is necessary, we'll try to get some money from him possibly. But if cul-de-sac is necessary, we would be more than happy to put it in.

MR. EDSALL: I think it will benefit your lots and it will benefit the lots from the safety standpoint because any emergency vehicles going up this road will not have the ability to turn around.

MR. SHULKIN: What diameter would you request?

MR. EDSALL: I'll work with you on that.

MR. PETRO: He can still take the drive of the last house off the cul-de-sac.

MR. EDSALL: It will really encroach into the portion going back to Kahn and will more or less offset into this, a portion of this drive so I really think it will benefit you, I don't think it's going to be that significant.

MR. SHULKIN: We're willing to show that.

MR. SHAW: Maybe what they are saying, Mark, maybe it doesn't have to be a full blown cul-de-sac, maybe a hammer head, some other type of vehicle.

MR. LANDER: Just so they can turn around.

MR. EDSALL: We'll work something out at the workshop, maybe you can have something that may not be to the extreme standards of some of the large rural roads, but something that may function for the vehicles cause that will be in this area.

MR. SHAW: Fine.

MR. PETRO: What are you looking for tonight, Greg.

MR. SHAW: I don't know, I'm looking for some feedback from the board, it seems to me that the only places the board has any issues is in the beginning of the road and the end of the road. Other than those two issues,

is the board comfortable with the layout?

MR. PETRO: Well, you have reduced it from 13 to 7 lots, I think you have certainly minimized the impact on the area and I think we have discussed that before. Secondly, we know that it is a wet area so the only good way to do this is with the sewer. You did a perc test up there, I know you were up there.

MR. SHAW: We did a lot of deep pit tests, we didn't do any perc tests, we didn't hit ground water probably until about five or six feet deep, maybe about six, four weeks ago.

MR. PETRO: Was it clay?

MR. SHAW: The soil looked like it was going to need a little work to take subsurface systems. We didn't discount it altogether, no, but in looking at it, we felt that sewers were a more appropriate and I may add too that going with the central sewers, it did afford us an opportunity to get one more lot.

MR. PETRO: Lot size will change.

MR. SHAW: We can go down to a hundred, not 125 feet so we should have you had it as the extra lot will go towards the sewer line both on and off-site.

MR. PETRO: Water is on Windsor Garden Drive?

MR. SHAW: Correct, it's a 6 inch main.

MR. LANDER: I have no problem.

MR. PETRO: Mark, do you have anything else to add?

MR. EDSALL: No, I think we have resolved most of the issues at this point.

MR. SHAW: Okay, thank you.

MR. MEYERS: That one issue about the road, Myra, we just sent a letter to DOT about some mumbo-jumbo and we asked them to come in and speak to us about drainage

and repaving of 32 and have Mr. McGoey bring this into the mix about the entrance is 50 feet, who's responsible for what they are going to pave out there. So we should be able to address that right away.

MR. PETRO: Does Dick McGoey actually know that the DOT owns the first 50 feet?

MR. MEYERS: We don't, that is something we should resolve. They are coming in specifically about that Route 32 and on an offshoot is the drainage we're speaking about, let's put this in the mix, too, that is something else we want to talk about.

MR. PETRO: You're going to get proxies from Mr. Kahn and Mr. Conklin?

MR. SHAW: Correct, the reason we did not is because we did not make application for the lot line change. We showed the transfer of property just for informational purposes on our drawings but at the appropriate time, we'll make application. There is an application signed and proxies completed.

MR. PETRO: Other than the cul-de-sac entrance we talked about, I think it looks pretty good.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
 WILLIAM J. HAUSER, P.E.
 MARK J. EDSALL, P.E.
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**TOWN OF NEW WINDSOR
 PLANNING BOARD
 REVIEW COMMENTS**

REVIEW NAME: WOODS SUBDIVISION
PROJECT LOCATION: WINDSOR GARDEN DRIVE (OFF ROUTE 32)
 SECTION 38-BLOCK 1-LOTS 1, 2 AND 3 AND
 SECTION 38-BLOCK 2-LOTS 1, 6 THRU 14
PROJECT NUMBER: 96-7
DATE: 13 MARCH 1996
DESCRIPTION: THIS SUBDIVISION IS ACTUALLY IN THE FORM OF A
 MULTIPLE LOT LINE CHANGE FOR AN EXISTING
 THIRTEEN (13) LOT SUBDIVISION KNOWN AS THE
 "WINDSOR GARDENS" SUBDIVISION. THE PLAN WAS
 REVIEWED ON A CONCEPT BASIS ONLY.

1. As the plan depicts on the lower right hand corner, the property currently exists as thirteen (13) individual single-family residential lots. This application proposes a change to a total of seven (7) lots, with the elimination of the proposed Loop Town Road.

In addition to the rearrangement and decrease in the number of lots, this application also involves lot line changes to two (2) adjoining properties.

2. The property is located within the R-5 Zoning District. The bulk information shown on the zoning schedule appears correct for the zone and use, although the table should be expanded to reflect the minimum livable area requirement of 1,000 square feet.

Each of the lots appear to comply with the minimum bulk requirements for the zone, although a non-compliance appears to exist relative to front yard setback for Lot 3 from Route 32.

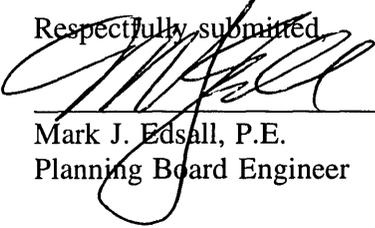
3. This application involves a proposed sewermain extension. As such, it is my understanding that the application would be subject to the current moratorium, unless alternative flow reallocation is achieved.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: WOODS SUBDIVISION
PROJECT LOCATION: WINDSOR GARDEN DRIVE (OFF ROUTE 32)
SECTION 38-BLOCK 1-LOTS 1, 2 AND 3 AND
SECTION 38-BLOCK 2-LOTS 1, 6 THRU 14
PROJECT NUMBER: 96-7
DATE: 13 MARCH 1996

4. The plan proposes development of all the lots off existing Windsor Garden Drive. The Highway Superintendent should be consulted with regard to this proposal. It is likely that he will require the construction of a cul-de-sac turnaround at the end of the roadway. An offset cul-de-sac would appear appropriate.
5. It is my understanding that the proposed roadway for the Windsor Gardens Subdivision was dedicated to the Town of New Windsor. As such, proper abandonment procedures, by the Town Board, for the former dedication, would appear necessary.
6. A review of the application paperwork would appear to indicate that same is not complete, since proxy statements have not been received from the two (2) adjoining property owners involved in the lot line changes (Conklin and Kahn). As well, the application has not been signed by these property owners.
7. The plan identifies Maharay Lane as a private road. It is questioned whether Windsor Garden Drive includes a dedication to Route 32, or if the access is over Maharay Lane to Route 32. This must be confirmed.
8. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:WOODS.mk

RESULTS OF P.B. MEETING

DATE: March 13, 1996

PROJECT NAME: Stirling Woods Sub. PROJECT NUMBER 96-7

LEAD AGENCY: _____ NEGATIVE DEC: _____

M) ___ S) ___ VOTE: A _____ N _____ M) ___ S) ___ VOTE: A _____ N _____

CARRIED: YES _____ NO _____ CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A _____ N _____

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

DISAPP: REFER TO Z.E.A.: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A _____ N _____ APPROVED: _____

M) ___ S) ___ VOTE: A _____ N _____ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS:

Windows Garden Dr. (Town Road?) will revert paper portion back to developer.

Town owns first 50' of Waterway Lane?

Lot Line Change applications to follow for:

Stirling + Kahn (Lot #7)

Stirling + Conklin (Lot #1)

show that Waterway Lane crosses over Windows Garden Drive?

Check w/ Dick McLoey if D.O.T. owns this portion of road

Check w/ Jim Pueler re: Cul-de-sac

P.B. # 96-7 340. Fee (Major)

108

565-1900
DON-BAR DEVELOPMENT CORP.

50-584/219

DATE 3-6-96

PAY TO THE ORDER OF

Town of New Windsor

\$ 100⁰⁰

one hundred dollars

$\frac{00}{100}$

DOLLARS 



First Hudson Valley
First National Bank of the Hudson Valley
125 MAIN STREET, FISHKILL, NY 12524

FOR

application fee

Joseph Frey

MP

⑈000108⑈ ⑆02190584⑆ 1215003862⑈

P.B. # 96-7 Escrow

107

565-1900
DON-BAR DEVELOPMENT CORP.

50-584/219

DATE 3-6-96

PAY TO THE ORDER OF

Town of New Windsor

\$ 825⁰⁰

eight hundred twenty five dollars $\frac{00}{100}$

DOLLARS 



First Hudson Valley
First National Bank of the Hudson Valley
125 MAIN STREET, FISHKILL, NY 12524

FOR

application fee Escrow

Joseph Frey

MP

⑈000107⑈ ⑆02190584⑆ 1215003862⑈

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MAJOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 100.00

CK 108
3/8/96

ESCROW:

RESIDENTIAL:

4 LOTS @ 150.00 (FIRST 4 LOTS).....\$ 600.00
3 LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ 225.00

COMMERCIAL:

____ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____
____ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ 825.00

CK 107
3/8/96

APPROVAL FEES MAJOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 100.00
PRELIMINARY PLAT APPROVAL (150.00 OR 15.00/LOT).....\$ _____
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ _____
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ _____

RECREATION FEES:

____ LOTS @ \$ 500.00 PER LOT.....\$ _____

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ _____
PLANNING BOARD ATTORNEY FEES.....\$ _____
MINUTES OF MEETINGS.....\$ _____
OTHER.....\$ _____

PERFORMANCE BOND AMOUNT.....\$ _____

4% OF ABOVE AMOUNT.....\$ _____

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

2% OF APPROVED COST ESTIMATE\$ _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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WILLIAM J. HAUSER, P.E.
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(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 96-7

WORK SESSION DATE: 5 AUG 98 APPLICANT RESUB. REQUIRED: 4 plan sheets

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Sterling Woods

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Gryshaw

- MUNIC REPS PRESENT:
- BLDG INSP. _____
 - FIRE INSP. X
 - ENGINEER X
 - PLANNER _____
 - P/B CHMN. _____
 - OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- OC D&H approval
- flow T/S acted on abandonment/slip of road

A next agenda for approval



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 96 - 7

WORK SESSION DATE: 3 JUNE 98 APPLICANT RESUB. REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: not now

PROJECT NAME: Sterling Woods

PROJECT STATUS: NEW _____ OLD

REPRESENTATIVE PRESENT: Greg S.

MUNIC REPS PRESENT: BLDG INSP. _____
 FIRE INSP.
 ENGINEER
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Agg @ DEC re sewer
- will need OCCDH re sub rear.
- 30' ease rather than 20'

4MJ91 pbwsform



1763

TOWN OF NEW WINDSOR

RECEIVED APR 22 1996

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96-7

DATE PLAN RECEIVED: RECEIVED APR 18 1996 Rev 1

The maps and plans for the Site Approval: [checked]

Subdivision _____ as submitted by _____ for the building or subdivision of _____ has been reviewed by me and is approved [checked], disapproved _____.

If disapproved, please list reason _____

Four horizontal lines for listing reasons for disapproval.

Signature of Highway Superintendent and date 4/23/96

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 25 April 1996

SUBJECT: Sterling Woods Lot Line Change

Planning Board Reference Number: PB-96-7

Dated: 18 April 1996

Fire Prevention Reference Number: FPS-96-028

A review of the above referenced subject lot line change was conducted on 24 April 1996.

This lot line change is acceptable.

Plans Dated: 17 April 1996.



Robert F. Rodgers; C.C.A.

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 0-11-7 ORIG

DATE PLAN RECEIVED: RECEIVED MAR - 8 1996

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by _____
_____ for the building or subdivision of _____
_____ has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

MORATORIUM ON SEWER MAIN EXTENSIONS

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

[Signature] 3-26-96
SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96-7

DATE PLAN RECEIVED: RECEIVED APR 18 1996 Rev 1

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Stelling Woods _____ has been

reviewed by me and is approved

disapproved _____.

~~If disapproved, please list reason~~ _____

Water is available in this area -
Call water dept. for further info.

HIGHWAY SUPERINTENDENT DATE

[Signature] 4-22-96
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

TOWN OF NEW WINDSOR HIGHWAY DEPARTMENT
INTER-OFFICE CORRESPONDENCE
914-564-6660

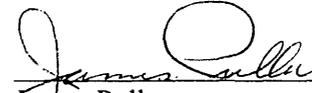
TO: New Windsor Planning Board

FROM: Jim Pullar, Highway Supt.

DATE: March 18, 1996

SUBJECT: **File No. 96-7**
Sterling Woods Subdivision

The above mentioned subdivision plans will have to be changed to add a cul-de-sac at the end of the Windsor Garden Drive in order to facilitate the turning of snow plows, garbage trucks, and other large trucks. This memo supersedes the memo signed by myself on 3/11/96.



James Pullar
Highway Supt.

JP/mvz



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TELEPHONE #914-563-4615
FAX NUMBER 914-563-4693

TO: Greg Shaw

ATTN; _____

FAX NUMBER: 561-3027

NUMBER OF PAGES (INCLUDING COVER SHEET) 2

FROM: Myra

DATE SENT: 3-22-96 TIME SENT: _____

MESSAGE: _____

For your info. + files

(m)

TELEPHONE OR FAX ACKNOWLEDGEMENT OF THIS TRANSMISSION IS REQUESTED:

YES _____ NO ✓



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96-7 ORIG

DATE PLAN RECEIVED: RECEIVED MAR -- 8 1996

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

[Signature] 3/11/96
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 12 March 1996
SUBJECT: Sterling Woods Subdivision

Planning Board Reference Number: PB-96-7
Dated: 8 March 1996
Fire Prevention Reference Number: FPS-96-014

A review of the above referenced subject subdivision was conducted on 11 March 1996.

This subdivision plan is acceptable.

Plans Dated: 7 March 1996


Robert F. Rodgers; C.C.A.

RFR/dh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Millard, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 9

WORK SESSION DATE: 6 MARCH 96 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Sterling Woods sub

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Reference/Dick Shulkin/Greg Shan

MUNIC REPS PRESENT: BLDG INSP. ?
FIRE INSP. Rich
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Windsor Garden Drive.
- Sewer extension - advise re location & suit
- abandonment by T/B of old road ded.
- B lots => 7 lots multiple 1/4
- Subdiv in form of (lot line changes)
- fees per subdiv.

4MJE91 pbw:form

OWNER'S
APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

MOHAMMAD H. KHAN & NAJMUS S. KHAN deposes and says that he
(Applicant)

resides at 16 Green Bower Lane, NEW CITY, N.Y. 10956
(Applicant's Address)

in the County of ROCKLAND

and state of NEW YORK

and that he is ~~the applicant for the~~ ^{an owner of the} property in the Lot Line
Change Between Lands Of Kahn and Lands Of Carlisle and Jaffe
(Project Name and Description)

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw, P.E. and Richard Shulkin
(Professional Representative)

to make the foregoing application as described therein.

Date: 4-18-96

[Signature]
(Owner's Signature)

[Signature]
(Witness Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"



APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

TYPE OF APPLICATION (check appropriate item):

Subdivision Lot Line Chg. Site Plan Spec. Permit ^{4/18/96}

1. Name of Project Sterling Woods Subdivision

2. Name of Applicant Don-Bar Development Corp. Phone 565-1900

Address 54-150 Old Route 9W, New Windsor, N.Y. 12553
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record Ernest Carlisle & Steven Jaffe Phone _____

Address 38 Glenwood Road, Tenefly, N.J. 07670
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan Gregory J. Shaw, P.E.

Address 744 Broadway, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (zip)

5. Attorney _____ Phone _____

Address _____
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
(Name)

7. Project Location: On the North side of Windsor Highway (street)
0 feet South of Maharaj Lane (direction) (street)

8. Project Data: Acreage of Parcel 8.38 Zone R-5,
School Dist. Newburgh

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 38 Block 1 Lot 1,2,3
Section 38 Block 2 Lot 1,6,7,8,9,10,11,12,
13,14

11. General Description of Project: Reconfiguration of an
existing 13 lot subdivision into a 7 lot subdivision. The 13 lot
subdivision is known as Windsor Gardens.

12. Has the Zoning Board of Appeals granted any variances for
this property? yes X no.

13. Has a Special Permit previously been granted for this
property? yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the
property owner, a separate notarized statement from the owner
must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and
states that the information, statements and representations
contained in this application and supporting documents and
drawings are true and accurate to the best of his/her knowledge
and/or belief. The applicant further acknowledges responsibility
to the Town for all fees and costs associated with the review of
this application.

Sworn before me this

6th day of MARCH 1996

Joseph Puzo President
Applicant's Signature
Don Bor Development Corp.

Diana Travis
Notary Public

DIANA TRAVIS
4845801
NOTARY PUBLIC, State of New York
Qualified in Ulster County
Commission Expires September 30, 1997

TOWN USE ONLY:

RECEIVED MAR - 8 1996
Date Application Received

96 - 7
Application Number

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Don-Bar Development Corp., deposes and says that he
(Applicant)

resides at 54-150 Old Rt. 9W New Windsor, New York 12553
(Applicant's Address)

in the County of Orange

and State of New York

and that he is the applicant for the LOT LINE CHANGE FOR *4/18/96*

Sterling Woods Subdivision
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Gregory Shaw & Richard Shulkin
(Professional Representative)

to make the foregoing application as described therein.

Date: Mar. 6, 1996

Joseph Flynn *President*
Applicant Signature) DON BAR DEVELOPMENT
CORP

Fred Shulkin
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

... for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Mr. & Mrs. Mohammad H. Khan, deposes and says that he
(Owner)

resides at 16 Green Bower Lane New City, N.Y. 10956
(Owner's Address)

in the County of Rockland

and State of New York

and that he is the applicant for the LOT LINE CHANGE FOR
Sterling Woods Subdivision
(Project Name and Description)

Handwritten initials and date: 4/18/96

which is the premises described in the foregoing application and
that he has authorized Gregory Shaw & Richard Shulkin
(Professional Representative)

to make the foregoing application as described therein.

Date: 3/8/96

Handwritten signature of Mohammad H. Khan
(Owner's Signature)

Handwritten signature of witness
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Dr. Stephen Jaffe

_____, deposes and says that he
(Owner)

resides at 38 Glenwood Rd., Tonawly, N.J. 07670
(Owner's Address)

in the County of _____

and State of New Jersey

and that he is the applicant for the LOT LINE CHANGE FOR
Sterling Woods Subdivision

(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Mr. Gregory Shaw & Richard Shulkin
(Professional Representative)

to make the foregoing application as described therein.

Date: 3/6/96

Stephen H Jaffe MD
(Owner's Signature)

Ernest Carlisle
(Witness Signature)

[Handwritten initials]
4/18/96

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

If Applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
 SUBDIVISION/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. X Environmental Assessment Statement
- *2. X Proxy Statement
3. X Application Fees
4. X Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. X Name and address of Applicant.
- *2. X Name and address of Owner.
3. X Subdivision name and location.
4. X Tax Map Data (Section-Block-Lot).
5. X Location Map at a scale of 1" = 2,000 ft.
6. X Zoning table showing what is required in the particular zone and what applicant is proposing.
7. X Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. X Date of plat preparation and/or date of any plat revisions.
9. X Scale the plat is drawn to and North Arrow.
10. X Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. _____ Surveyor's certification.
12. _____ Surveyor's seal and signature.

*If applicable.

- 13. X Name of adjoining owners.
- 14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
- 16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
- 17. _____ Final metes and bounds.
- 18. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
- 19. X Include existing or proposed easements.
- 20. _____ Right-of-Way widths.
- 21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
- 22. X Lot area (in square feet for each lot less than 2 acres).
- 23. X Number the lots including residual lot.
- 24. X Show any existing waterways.
- *25. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
- 26. _____ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
- 27. X Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
- 28. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
31. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. X Indicate percentage and direction of grade.
33. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. _____ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. N/A A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

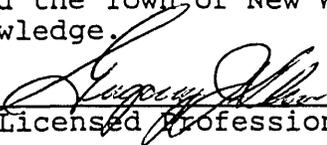
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 
Licensed Professional

Date: March 7, 1996

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

<p>1. APPLICANT /SPONSOR Don-Bar Development Corp.</p>	<p>2. PROJECT NAME <i>LOT LINE CHANGE FOR</i> Sterling Woods Subdivision <i>4/18/96</i></p>
<p>3. PROJECT LOCATION: Municipality Town of New Windsor County Orange</p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) North side of Windsor Highway immediately south of Maharay Lane.</p>	
<p>5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration</p>	
<p>6. DESCRIBE PROJECT BRIEFLY: Reconfiguration of an existing 13 lot subdivision into a 7 lot subdivision. The 13 lot subdivision is known as Windsor Gardens.</p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <u>8.38</u> acres Ultimately <u>8.38</u> acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly</p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:</p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Orange County Dept. of Health - Subdivision Approval</p>	
<p>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval</p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: <u>Don-Bar Development Corp.</u> Date: <u>3/7/96</u></p>	
<p>Signature: <i>[Signature]</i> Engineer for Applicant</p>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
 No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.
 No

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Town of New Windsor Planning Board
 Name of Lead Agency

James Petro
 Print or Type Name of Responsible Officer in Lead Agency

Chairman
 Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Mayor (if different from responsible officer)

Date